COMMUNITY PLANNING GROUP/STAFF'S/PLANNING COMMISSION

Project Manager must complete the following information for the Council docket:

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STAFF'S

Please indicate recommendation for each action (i.e.: resolution/ordinance)

- 1. Resolution certifying Addendum No. 4925 to Final Environmental Impact Report No. 86-1032, and adopting the Mitigation, Monitoring and Reporting Program.
- 2. Resolution approving Vesting Tentative Map (VTM) No. 551809 and Easement Vacation No. 580203.
- 3. Resolution approving Planned Development Permit (PDP) No. 8075.

PLANNING COMMISSION (list names of Commissioners voting yea or nay)

YEAS: Golba, Ötsuji, Naslund, Öntai

NAYS: Schultz, Griswold

ABSTAINING

NOT PRESENT: Smiley

Recommendations:

- 1. Certification by the City Council of Addendum No. 4925 to Final Environmental Impact Report No. 86-1032;
- 2. Approval by the City Council of Vesting Tentative Map No. 551809; Easement Vacation No. 580203; and Planned Development Permit No. 8075.
- 3. City Council require the Applicant to switch the four story buildings 8 and 9 with the three story buildings 12 and 13.
- 4. Applicant explore providing onsite solar generation for the common area functions of the project.

COMMUNITY PLANNING GROUP (choose one)

LIST NAME OF	GROUP:	OTAY	MESA
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_	No officially recognized community planning group for this area.
_	Community Planning Group has been notified of this project and has not submitted a recommendation.
_	Community Planning Group has been notified of this project and has not taken a position.
<u>X</u>	Community Planning Group has recommended approval of this project.

Community Planning Group has recommended denial of this project.

	This is a matter of City-wide effect.	The following community group(s) has taken a position on the it	.em:
000	120 In favor:	•	

Tra	
Opposed:	
	By
	Patricia Grabski, AICP
	Development Project Manager



ADDENDUM to an ENVIRONMENTAL IMPACT REPORT

Project No. 4925 Addendum to EIR No. 86-1032 SCH No. 85022015

SUBJECT:

PLAYA DEL SOL: VESTING TENTATIVE MAP (VTM), PLANNED DEVELOPMENT PERMIT (PDP), AND EASMENT VACATIONS to allow for the construction of 16 multi-story condominium structures consisting of 1,578 multi-dwelling units on a previously graded 45.97 acre site. In addition, the project would include three recreational buildings totaling 9,608 square-feet and associated open space. The site is located within the Otay Mesa Community Planning area in the RM -3-7 Zone and California Terraces Precise Plan (Planning Area 6). (Northwest quarter of section 25, township 18 south, range 2 west, San Bernardino meridian) Applicant: Pardee Homes.

I. PROJECT DESCRIPTION:

The proposed project would allow for the construction of 16 multi-story condominium structures consisting of 1,578 multi-dwelling units on a previously graded 45.97 acre site (Figure 1). The 16 residential buildings being proposed would consist of 10 four-story buildings and 6 three-story building and the units would range from one to four bedrooms (Figure 2). Two levels of underground parking would be provided within each of the residential buildings. In addition, the project would include three recreational buildings totaling 9,608 square-feet, which would include, but would not be limited to, fitness centers, racquet ball courts, and assembly rooms (Figure 3). Common space areas would include, but not be limited to, 3 swimming pools, a tennis court, picnic areas and three tot lots. The approved VTM would subdivide the site into three lots for residential condominium development and one Home Owner's Association (HOA) lot.

Although the site was mass graded in 1997 through 1999, with approval of the California Terraces Precise Plan and Vesting Tentative Map (LDR No. 86-1032), implementation of the proposed project would require finish grading of the entire 45.97 acre site. The project site has been continually cleared of weeds and vegetation ever since the original approval. The new grading would consist of cuts and fills on the order of 20 feet and 15 feet and would result in the export of 70,000 cubic yards of soil export. The final grading

and landscaping of the project area is consistent with the approved Precise Plan and certified EIR.

Access to the site would be provided from two locations along the future Old Otay Mesa Road/proposed public Street A and Del Sol Boulevard. The project would provide 2,507 automobile parking spaces, 165 motorcycle spaces, and 980 bicycle spaces.

The proposed project would vacate a retention basin and a temporary construction easement, which are located in the southern portion of the project site. The easements were both necessary for the widening of Otay Mesa road and are no longer necessary since the road widening is complete. Both of these easements were recorded in June 1999 per document number 1999-0400948. The site is divided into four lots, which would include Lots 1 through 3 and Parcel A. Lots 1 through 3 would include multi-dwelling units and recreational buildings as described above. Parcel A is a drainage easement that was granted to the San Ysidro High School District per document number 2004-1209006.

II. ENVIRONMENTAL SETTING:

The project site is located in the southern portion of the California Terraces Precise Plan area. The California Terraces Precise Plan area is situated in the northwestern portion of the Otay Mesa Community Plan area in the City of San Diego. The precise plan area is located between Interstate 805 (I-805) and Heritage Road, with the western boundary approximately one-quarter mile east of I-805 and the eastern boundary approximately three-quarters of a mile west of Heritage Road (Figure 4). The area is bounded to the north by the Dennery Ranch Precise Plan area, on the northeast by the Hidden Trails Precise Plan area, on the southeast by the Santee Investments Precise Plan area, on the southwest by the El Mirador Precise Plan area, and on the west by I-805. Topographically, the precise plan area is dominated by a large, flat mesa top at an elevation of approximately 500 feet above mean sea level (MSL). The mesa top has been dissected in the north, west, and south by steep canyons which are generally north and southwest trending. The majority of the California Terraces Precise Plan area has been either graded or developed as part of the mass grading of the precise plan area subsequent to the precise plan's approval.

The proposed Playa Del Sol project site is vacant and has been previously mass graded as part of the California Terraces Precise Plan. The Playa Del Sol project site has been maintained for brush management and drainage by keeping it clear of vegetation. Elevations on the Playa del Sol project site range from approximately 525 MSL at the northeast corner to approximately 500 MSL at the southwest corner.

The proposed development site is within an existing urbanized area currently served by police, fire, and emergency medical. Fire response times are calculated using Emergency Response Management System (ERMS) programming and are routed point to point (from the Fire Station to the address) and includes a standard chute/turnout time. The fastest response time would come from Fire Station 6 at Twining & Palm Av and would equal 4.5 minutes. The project is located in police Beat 713. The average response times, in

minutes, for beat 713 are as follows: 10.4 for Emergency calls, 16.7 for priority one calls, 33.6 for priority two calls, 71.6 for priority three calls and 50.6 for priority four calls.

III. PROJECT BACKGROUND

In 1994, the City of San Diego certified the final Environmental Impact Report (FEIR) for the California Terraces Precise Plan (LDR No. 86-1032, SCH No. 85022015). The project site is located within the southern portion of this precise plan area. This precise plan included approximately 665 acres in the western portion of Otay Mesa with 5,375 residential dwelling units, 24.4 acres of commercial uses, 153.4 acres of open space, four school sites totaling 53.6 acres, three parks totaling 26.2 acres, and other public facilities. At the time the 1994 California Terraces Precise Plan FEIR was certified, the following actions were approved by the City of San Diego City Council: Precise Plan, Master Rezone, Vesting Tentative Map, Hillside Review Permit, Resource Protection Ordinance Permit, Planned Residential Development, Small Lot Overlay Zone, and Community Plan Amendment. In addition, the original project approval for the Precise Plan and VTM included a U.S. Army Corps of Engineers 404 Permit, a Biological Opinion from the U.S. Fish and Wildlife Service, and a substantial conformance review by the City of San Diego for consistency with the Multiple Species Conservation Program (MSCP).

IV. ENVIRONMENTAL ANALYSIS:

The following environmental issues were considered during the initial review of the proposed project and in the FEIR and determined to be potentially significant and required subsequent analysis and or discussion as part of the Addendum: Land Use, Transportation/Circulation, Biology, Historical Resources, Landform Alteration/Visual Quality, Geology Soils, Water Quality, Noise, Paleontology, Human Health and Public Safety, Air Quality, Water Supply, Waste Management, Public Services, and Utilities.

Land Use

Deviations to Development Standards

The proposed project will require a Vesting Tentative Map and a Planned Development Permit to amend Precise Plan and Vesting Tentative Map and prior discretionary permits (LDR NOS. 86-1032 and 90-0574) of the California Terraces Precise Plan. The project would require deviations to the development standards of the City of San Diego Land Development Code (LDC) for street side yard setbacks and height regulations of the RM-3-7 zone specific to the following:

Lot 1: Two deviations to required street side yard setbacks. The project proposes a 30-foot minimum street side yard setback along Otay Mesa Road and a 15-foot minimum side yard setback along the northern side of the lot where 76-foot (10 percent of the lot width) street side setbacks are required.

Lot 2: Two deviations to required street side and side yard setbacks. The project proposes a 20-foot minimum street side yard setback along A Street and a 12-foot minimum side yard setback along the western side of the lot where 76-foot (10 percent of the lot width) street side setbacks are required.

Lot 3: Two deviations to required street side and side yard setbacks. The project proposes a 40-foot minimum street side yard setback along Del Sol Boulevard and a 15-foot minimum side yard setback along the south western side of the lot where 75-foot (10 percent of the lot width) street side setbacks are required.

The proposed project also proposes a deviation from the 40-foot height limit to a maximum of 58 feet. The highest roofline of any of the 16 buildings would be 52 feet- the additional 6 feet is for the elevator towers. The rooflines range in height from 40 to 52 feet, and with the elevator towers, the overall heights are 46 to 58 feet high. The tallest structures are located towards the southern end of the project and are generally located away from the existing single-family residences to the north.

Airport Consistency

The Playa Del Sol project has been found to be in compliance with the Federal Aviation Administration's (FAA) Title 14, Part 77 notification criteria and is not required to submit a "Notice of Construction or Alteration" to the FAA prior to obtaining building permits because the project:

- Does not have structures that exceed 200ft above ground level;
- Is not within 20,000 feet of an airport and will not exceed the slope ratio;
- Does not involve construction of a traverse way (i.e. highway, railroad, waterway etc...);
- Will not emit frequencies, and it does not meet the conditions of the FAA Colocation Policy
- Will not be in an instrument approach area and might exceed part 77 Subpart C;
 and
- Will not be on an airport or heliport.

The FAA's Notice Criteria Tool was utilized to make this determination using the elevations of the two structures that would be closest to Brown Field Municipal Airport (Brown Field). Building 8, which is proposed at the northeastern corner of the site, has a site elevation of 530 feet and the proposed structure height would be 55 feet. Building 4, which is at the southeastern corner of the site, has an elevation of 531 feet and the proposed structure height would be 58 feet. Therefore, the project does not exceed the height level (200 feet above ground level) which requires FAA notification.

The only airport within the vicinity of the proposed project is Brown Field, which is located approximately 1.3 miles to the east. Pursuant to state law, a Comprehensive Land Use Plan (CLUP) was adopted by SANDAG in September 1981. According to the CLUP, the proposed project site is located outside of the Airport Influence Area (AIA), is

not affected by Flight Activity Zones (FAZs), and would not be subject to excessive noise volumes associated with aircraft overflight operations.

Under the San Diego County Regional Airport Authority (Airport Authority) Act, the Airport Authority Board has been designated as the Airport Land Use Commission (ALUC) for the County of San Diego. A major function of the ALUC is to update existing Airport Land Use Compatibility Plans (ALUCPs) (formerly known as CLUPs) for airports with San Diego County, including Brown Field. The Airport Authority began the update of the Brown Field CLUP (now ALUCP) in 2004 and has not yet completed the update.

Multiple Species Conservation Program

The Playa Del Sol project area is not adjacent to the Multi-Habitat Planning Area (MHPA); therefore, MHPA guidelines would not apply to the proposed project. Proposed impacts to land use are consistent with the Findings in the California Terraces Precise Plan FEIR and no new mitigation measures are required.

Transportation/Traffic Circulation

The California Terraces Precise Plan FEIR concluded that implementation of the Precise Plan could result in trip generation volumes that would have a significant impact on the Horizon Year regional traffic circulation system in the Otay Mesa planning area. Mitigation was identified to reduce these impacts to below a level of significance. An updated traffic analysis was prepared in March 2008 to evaluate the possible traffic impacts from development of the Playa Del Sol project (Appendix A). The traffic analysis determined that the project would generate a total of 9,432 average daily trips (ADT) with 755 occurring during the AM peak hour and 849 occurring during the PM peak hour. The traffic analysis also determined that for both near-term and horizon year 2030 conditions, the project is expected to result in no additional significant traffic impacts other than those previously identified in the FEIR for the original VTM. The proposed near-term and horizon-year improvements listed below would be assured prior to issuance of the first building permit.

Near Term

Near-term project traffic impacts would be less than significant for all local street and freeway segments and intersections. In accordance with the mitigation measures contained in the California Terraces FEIR, the proposed project would build Street A as a four-lane major street. Additionally, a right-in-out-only access to Otay Mesa Road would be provided at the Street A/Otay Mesa Boulevard intersection. When Street A is completed as four-lane major roadway, the proposed project would signalize the two project driveways on Street A to accommodate left turns in and out of the projects. The Del Sol Boulevard driveway will be signalized when warranted, which is anticipated to occur with the completion of Del Sol Boulevard to the west of the project site.

Additionally, the California Terraces VTM was conditioned in the FEIR to construct Ocean View Hills Parkway between Del Sol Boulevard and Otay Mesa Road. This off-

site roadway improvement would be constructed by other projects prior to issuance of the first Playa Del Sol building permit.

Horizon Year

Under Year 2030 horizon year conditions, project traffic impacts would be less than significant for local street segments and intersections. The California Terraces VTM and the Otay Mesa Community Plan have anticipated the Playa Del Sol project, and no new horizon year traffic impacts are expected beyond those identified and mitigated by the California Terraces Precise Plan FEIR.

The California Terraces Precise Plan FEIR identified impacts and mitigation for freeways I-805 and State Route 905 (SR-905) that would include the addition of high-occupancy vehicle (HOV) lanes. Caltrans' current plans for I-805 include two additional managed lanes that would mitigate significant impacts. Project impacts to I-805 would be less than significant with these assured improvements.

As previously identified in the California Terraces FEIR, the proposed project is expected to have a significant impact to the SR-905 segment from the I-805 to Heritage Road interchanges, based on the initial Caltrans lane construction that does not include HOV lanes. In accordance with mitigation outlined in the California Terraces FEIR, the proposed project would provide a fair share contribution towards the future SR-905 HOV lanes. The HOV Lane fair share contribution is fully described in the traffic report prepared for the Playa del Sol project.

Although the project would not result in significant impacts at the West Bound on-ramp to the SR-905/Caliente Avenue, the project applicant would provide a fair share contribution to construct an additional southbound lane at the future SR-905/Caliente Avenue WB on ramp as a design enhancement to facilitate queuing. The details of this fair share contribution are fully described in the traffic report prepared for the Playa Del Sol project. In summary, proposed project impacts to transportation are consistent with the Findings in the California Terraces Precise Plan FEIR and no new mitigation measures are required. All previously identified impacts would be mitigated by the improvements identified in the original FEIR.

Parking

The proposed project would provide 2,507 automobile parking spaces, 114 accessible spaces, 165 motorcycle spaces, and 980 bicycle parking stalls. The parking has been determined to be adequate and in compliance with the parking requirements of the Land Development Code.

Biological Resources

The project site was mass-graded with approval of the California Terraces Precise Plan. The property is bounded by open space to the west; however, the site is planned for development and is not in or directly adjacent to the Multi-Habitat Planning Area (MHPA). Biological resources on the project site were previously addressed as part of the

California Terraces Precise Plan FEIR. No new impacts to biological resources would result from the implementation of the proposed project.

Landform Alteration/Visual Quality

The California Terraces Precise Plan FEIR identified significant visual quality impacts resulting from development of the precise plan area. These impacts would result from the construction of large manufactured slopes that would be visible from roadways. The Playa del Sol project site is relatively flat and has been previously graded and kept clear of vegetation for brush and drainage management purposes.

Implementation of the proposed project would transform the graded, but undeveloped site into a residential community. The original California Terraces Precise Plan area, including Playa Del Sol, was mass graded. At the time of mass grading, site-specific grading techniques were implemented, as set forth in the FEIR and Mitigation Monitoring and Reporting Program. The proposed finish grading includes raising the overall elevation throughout the site and the excavation and export of approximately 70,000 cubic yards to accommodate the two levels of underground parking associated with each of the 16 multi-dwelling unit buildings. The proposed finish grading would implement the grading techniques set forth in the FEIR and Mitigation Monitoring and Reporting Program. No new mitigation measures beyond those set forth in the FEIR are required.

Historical Resources

The California Terraces Precise Plan FEIR concluded that impacts to significant cultural resources would occur as a result of the development of the precise plan area. Mitigation, in the form of implementing a cultural data recovery program, would reduce impacts to below a level of significance.

The Playa Del Sol project site has been previously mass graded in accordance with the mitigation plan approved in the California Terraces Precise Plan FEIR. All historical resources on the proposed project site were previously addressed as part of that FEIR. No new cultural resource impacts would result from implementation of the proposed project. Therefore, further mitigation would not be required.

Geology/Soils

The California Terraces Precise Plan FEIR identified potentially significant impacts relating to erosion from implementation of the brush management and irrigation plan. Mitigation measures were adopted in the FEIR to reduce these impacts to below a level of significance.

The project area is located in a seismically active region of California, and therefore, the potential exists for geologic hazards, such as earthquakes and ground failure. According to the City of San Diego's Seismic Safety Study, the project area lies within Geologic

Hazard Category 53. Hazard Category 53 is defined as "...level or sloping terrain, unfavorable geologic structure, and low to moderate risk." An updated Geotechnical Investigation was prepared by GEOCON, Inc. (2006) to assess the geologic conditions of the proposed project site. The report concluded that proper engineering design would ensure that the potential for geologic impacts from regional hazards would be insignificant. Project design features include proper geotechnical engineering design measures that would be implemented as conditions of the permit. Proposed impacts to geology are consistent with California Terraces Precise Plan FEIR and no new mitigation measures are required.

Human Health/Public Safety/Hazardous Materials

The California Terraces Precise Plan FEIR did not identify any significant public safety impacts resulting from the development of the precise plan area. Issues identified with the potential to result in public safety impacts included the proximity of the planning area to Brown Field and to natural open space.

Brown Field runways are close to the proposed project site, and the areas that could pose a significant risk to public safety from aircraft takeoff and landing patterns are described as Flight Activity Zones (FAZ). The FAZ for Brown Field are the land areas adjacent to the ends of the runways' primary surfaces, over which all aircraft using the airport must pass on either arrival or departure. The Playa del Sol project site is located entirely outside of the Brown Field FAZ boundaries and thus there are no significant safety impacts related to flight hazards.

The site is adjacent to vacant land to the east. However, this area is proposed for future development and thus significant impacts from the risk of fire from this area to the project site are considered to be less than significant. Regardless, the proposed "A Street" would provide an adequate fire break for Playa Del Sol until development of the vacant lot to the east is completed.

Water Quality

The California Terraces Precise Plan FEIR concluded that construction within the plan area and implementation of the brush management program could result in short-term impacts from erosion, both on- and off-site. Mitigation measures identified in the FEIR reduced impacts to below a level of significance.

A Preliminary Drainage Report was prepared by Project Design Consultants (January 2007a). The study found that runoff from the project site and Lot 116, which is located directly adjacent to the project site on the west side generally sheet flows from north to south and enters an existing private 42-inch storm drain that traverses southwesterly across Lot 116. The 42-inch pipe discharges to an existing 72-inch pipe that conveys the flow across SR-905 and discharges into an unnamed canyon. Drainage from the developed project site would be collected by inlets that connect into this existing stormdrain system at the western boundary of the site. The initial estimate of peak, 50-year storm runoff discharges contributed by the project site has been increased by 20.9

cubic feet per second due to changes in land use and flow path of the runoff. This additional runoff will be detained in an on-site, underground vault, detention basin located adjacent to the point of connection with the existing 42-inch pipe, partially underneath a proposed half-court basketball court. This detention facility is only for peak flow attenuation, and is not a water quality best management practices (BMPs). Impacts from the increase of runoff from the project site are less than significant.

A Water Quality Technical Report was prepared by Project Design Consultants (January 2007) and is available for review in the office of the Development Services Department and is summarized below.

According to the report, storm water generated on-site would discharge to an unnamed canyon, to the southwest of the project site. This canyon drainage is not a direct tributary to a 303(d) listed water body or a 2002 Monitoring List water body.

Site design, source control, project specific and treatment BMPs would be incorporated into the proposed project's design. The project proposes the use of Continuous Deflective Separation (CDS) units as a treatment control BMP to be installed prior to the discharge to the existing 42-inch drainpipe. The CDS system would be equipped with an oil baffle and oil sorbent media to treat runoff from the site's streets and gutters. As a condition of project approval, the applicant would execute a maintenance agreement for ongoing permanent maintenance of these BMPs with HOA, satisfactory to the City Engineer, prior to the issuance of any construction permits.

The proposed project would be required to implement water quality measures identified in the previously certified FEIR as well as implement current City regulations that also comply with a municipal National Pollutant Discharge Elimination System (NPDES) storm water permit. The municipal NPDES permit requires that the City implement storm water regulations for new development, which are to be presented in a document referred to as a Standard Stormwater Mitigation Plan (SUSMP). The City has adopted and implemented the City of San Diego Storm Water Standards. The project's consistency with the City of San Diego's Storm Water Standards would preclude direct and cumulatively considerable water quality impacts. Therefore, no new mitigation for water quality beyond what was identified in the FEIR would be required.

Noise

The California Terraces Precise Plan identified usable exterior areas adjacent to Del Sol Boulevard, Ocean View Hills Parkway, Otay Mesa Road, and Street A. The original VTM required noise walls ranging from three to ten feet in height to attenuate noise levels to within City noise standards.

A Noise Review of the proposed project was prepared by RECON Environmental (June 2006). The study found that based on a review of the site plan and architectural plans for the currently proposed project compared to what was originally anticipated for the site, the usable outdoor areas are now located in the center of the project site. The proposed multi-dwelling units would shield the usable outdoor areas from roadway noise. As such,

the need to provide noise barriers along these adjacent roadways identified in the previous FEIR would not be required under the new VTM for the Playa Del Sol development.

An interior acoustical study would be required for the proposed project prior to the issuance of building permits to ensure that the interior noise levels would meet the 45 Community Noise Equivalent Level (CNEL) noise level standard. The interior study would be based on the detailed architectural plans for the multi-family units along Del Sol Boulevard, Ocean View Hills Parkway, Street A, and SR-905. No other noise measures would be required.

Paleontological Resources

The California Terraces Precise Plan FEIR identified impacts to paleontological resources as potentially significant. The FEIR incorporated mitigation measures to reduce this impact to below a level of significance.

According to CEQA (California Environmental Quality Act) Significance Determination Thresholds (City of San Diego 2007), impacts to areas assigned a high resource sensitivity would be significantly impacted if grading quantities meet or exceed 1,000 cubic yards of excavation at a depth of 10 feet or greater. Impacts to areas assigned a moderate resource sensitivity would be significantly impacted if grading would exceed 2,000 cubic yards and extend to a depth of 10 feet or greater.

The site is underlain by an unnamed terrace deposit considered equivalent to Lindavista Formation and San Diego Formation. These formations have a moderate and high sensitivity, respectively. Since the significance thresholds would be exceeded through implementation of the proposed project, as stated in the FEIR for the Precise Plan, significant impacts to paleontological resources would result. These impacts comprise impacts already identified as significant in the Precise Plan EIR and do not comprise new significant impacts. Pursuant to the Precise Plan FEIR, monitoring would be required during grading to mitigate project-level impacts to below a level of significance.

Public Services

The California Terraces Precise Plan FEIR identified potentially significant impacts to schools due to the overcrowding of those facilities. The FEIR identified the payment of school fees as a condition of each individual VTM within the precise plan area to mitigate impacts to schools to below a level of significance. In addition, a school mitigation agreement was entered into with the San Ysidro School District where the developer has agreed to a cooperative effort with the district to help fund school facility needs.

The proposed project would be served by Ocean View Hills Elementary School (grades kindergarten through 8) located immediately west of the project site, which is within the San Ysidro School District and the Sweetwater Union High School District (grades 9 through 12). As specified in a mitigation agreement between the project applicant and

both school districts, all impacts to school services would be mitigated to below a level of significance.

<u>Utilities</u>

The California Terraces Precise Plan FEIR determined the capacity requirements for the overall precise plan area, including the proposed project site, and identified potentially significant impacts to sewer and water service. Mitigation measures were identified to reduce impacts to below a level of significance.

A sewer report was completed by Project Design Consultants in 2006 which concluded that the proposed sewer system does not cause the existing downstream facilities to exceed their capacity due to the redirection of flow from Princess Park and the San Ysidro High School site to the Otay Mesa Trunk Sewer. The report also found that the proposed sewer system and downstream pipes meet the Metropolitan Wastewater Department design criteria. No significant impacts would result. No additional mitigation measures, other than those identified in the previous FEIR would be required to provide adequate sewer service. No significant impacts would result.

The California Terraces Water Study Amendment No. 3 was completed by PBS&J and approved by the City of San Diego in August 2006. This study determined that the proposed onsite water system would need to be comprised of 12-inch water lines. The study also indicated that two connection points to existing water mains are necessary: one connection to the 12-inch water main in Del Sol Boulevard and another to the 30-inch main in Ocean View Hills Parkway. No additional mitigation measures, other than those identified in the previous FEIR, would be required to provide adequate water service. No significant impacts would result.

Water Supply

The California Terraces Precise Plan FEIR concluded that site-specific studies would be required prior to the approval of future development within the Precise Plan area. Water use associated with the Playa Del Sol project was included as part of the original master planned California Terraces Water Study approved by the City in June 1998 and incorporated in the City's 2000 and 2005 Urban Water Management Plan (UWMP) water demand projections. However, construction of the backbone supply, delivery, and storage facilities, as well as most of the distribution system for California Terraces service area, occurred prior to the January 2002 water supply assessment requirements promulgated by Senate Bills (SB) 610 and 221.

Although the Playa Del Sol project represents one of the final planning areas within the California Terraces Precise Plan to be developed, the proposed project represents a new tentative subdivision map with more than 500 dwelling units. As such, a Water Supply Assessment (WSA) pursuant to SB 610 and Water Supply Verification (WSV) pursuant to SB 221 are required of the proposed project. To meet these requirements, the City Water Department prepared a Water Supply Assessment and Verification Report (WSAVR) in April 2008 (hereby incorporated by reference) that identifies existing and

planned water supply entitlements, water rights, water service contracts, and agreements relevant to the water supply for the City Water Department's service area, including the proposed project.

The WSAVR satisfies the legal requirements associated with the Subdivision Map Act, CEQA, and the Water Code, and concludes that there are sufficient water supplies to meet the projected demand associated with the project, in addition to existing and planned future uses within the City. The WSAVR concludes that based on a normal water supply year, the estimated water demands of 239,426 acre-feet (AF) in 2010 and 275,925 AF in 2030 would be met by available or planned water supply. Of these totals, approximately 84 percent would be supplied by County Water Authority (CWA) purchases of imported water in 2010 and 2030. Twelve percent of water supply would come from local surface water in 2010; 10.5 percent in 2030. Roughly 4 percent of water supply in 2010 would come from recycled water; increasing to 5.5 percent of supply by 2030.

Based on dry year forecasts, water supply would also meet projected water demands during single- and multiple-dry year scenarios. The WSAVR documents that for a single dry year a projected supply of 291,683 AF would be available in 2030, and for multiple-dry year conditions, a projected supply of 256,593 AF in 2010 and 295,242 AF in 2030 would be available within the Water Department service area.

The Playa Del Sol project water demands would account for approximately one-quarter of one percent of the City's total projected potable water supply under normal water year conditions. Project demands would impact single and multiple dry water year citywide projections to an even lesser degree.

The Water Verification findings presented in Section 5 of the WSAVR substantiate that sufficient water supply would be available to serve existing demand, project demand, and projected future water demands within the Water Department's service area, under normal and dry year forecasts. An adequate supply is further confirmed by the following from the CWA's 2005 Urban Water Management Plan (UWMP): "If the Water Authority and member agency supplies are developed as planned, along with implementation of Metropolitan's Integrated Resources Plan, no shortages are anticipated within the Water Authority's service area through 2030" (UWMP Section 8.3).

The WSAVR concludes that water supplies necessary to serve existing demand and future demands within the Water Department's service area including the proposed project, as well as the actions necessary to develop these supplies, have been identified and verified. Therefore, impacts to water supply from the proposed Playa Del Sol project would be less than significant.

Waste Management

Assembly Bill 939 enacted in 1989 required all California cities to divert at least 50 percent of its solid waste from landfill disposal through source reduction, recycling, and composting by 2000. By 2004, the City surpassed the required diversion rate (attaining 52 percent). However, because of continually dwindling landfill space and in accordance with Senate Bill 1020, the State legislature plans to increase the amount that must be diverted from local landfills to as much as 75%. As of 2006, the City has achieved 55 percent diversion. About 1.68 million tons of trash is produced annually in San Diego. At this rate of waste disposal, the City's only landfill, the Miramar Landfill, will be filled to capacity by 2012.

According to the City of San Diego's Significance Thresholds, projects that propose 50 units or more and are processing a community plan amendment may result in a significant solid waste impact. Projects with such impacts are required to prepare a solid waste generation/disposal plan which addresses demolition, construction and the occupancy phases of the project. As a condition of project approval for cumulative impacts to the landfill, a Waste Management Plan must be prepared by the applicant and approved by the Environmental Services Department. Compliance with this condition would reduce the project's contribution to cumulative waste management impacts to less than considerable. Therefore, no mitigation is required.

Air Quality

The California Terraces Precise Plan FEIR identified significant direct impacts to regional air quality due to increases in pollutant emissions caused by overall project related traffic. The precise plan incorporated mitigation measures, which would allow it to conform to the Regional Air Quality Strategies (RAQS), including the provision of bike lanes and pedestrian trails to reduce vehicle miles traveled. Further, applicants of future tentative maps within the precise plan area would be required to coordinate with the City to accommodate bus routes and associated stops within the project area. Incorporation of these mitigation measures at the future project level was found to reduce air quality impacts to below a level of significance.

The Metropolitan Transit Development Board (MTDB) currently has no plans to add a bus route along Ocean View Hills Parkway. Further, MTDB decides where bus stops go along their bus routes. As such, the proposed project would provide adequate space for MTDB to construct a bus stop consistent with the mitigation measure identified in the FEIR No additional impacts to air quality as a result of traffic will occur, and no new mitigation measures are required beyond those identified in the FEIR.

V. MITIGATION, MONITORING AND REPORTING PROGRAM:

The following Mitigation Monitoring and Reporting Program (MMRP) would implement the requirements from the previously adopted FEIR for the California Terraces Precise Plan FEIR, certified in 1994. Based on a review of the project plans, the previous FEIR and subsequent technical study updates, the following MMRP identifies measures which specifically apply to the proposed project.

Transportation/Traffic Circulation

As required in the California Terraces Precise Plan FEIR, prior to the issuance of the first building permit, the following near-term and horizon-year improvements shall be made.

Near-term

- Signalize the two project driveways on Street A Planning Area 6 (PA 6).
- Signalize(when warranted) Del Sol Boulevard/Project North Driveway D (PA-6).
- Signalize Ocean View Hills Parkway at Street A.
- Signalize Ocean View Hills Parkway at Otay Mesa Road.
- Ocean View Hills Parkway at Hidden Trail Road.
- Otay Mesa Road at Street A (after Otay Mesa Road is transferred back to the City).
- Construct Street A as a four-lane major street to the satisfaction of the City Engineer (PA-6).
- Construct a right-turn-in-and-out only intersection at Street A/Otay Mesa Boulevard, pending a Caltrans permit (PA-6).

In addition, the FEIR identified other projects' construction of off-site improvements including the construction of Ocean View Hills Parkway from Del Sol Boulevard to Otay Mesa Road (PA 13/14) and modification of the signalized Otay Mesa Road intersection at Caliente Avenue/Ocean View Hills Parkway (PA 13/14).

Horizon Year

For the FEIR-identified significant impacts to SR-905, the FEIR mitigation stated the following:

• Other public transit facilities such as ramp signalization on I-805, high occupancy vehicle (HOV) lanes on I-805 or SR-905, and park-and-ride lots would be the responsibility of Caltrans to study and develop as determined necessary. The project shall pay a fair share contribution towards the SR-905 HOV lanes construction.

Paleontological Resources

I. Prior to Permit Issuance

- A. Entitlements Plan Check
 - 1. Prior to Notice to Proceed (NTP) for any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, but prior to the first preconstruction meeting, whichever is applicable, the Assistant Deputy Director (ADD) Environmental designee shall verify that the requirements for Paleontological Monitoring have been noted on the appropriate construction documents.
- B. Letters of Qualification have been submitted to ADD
 - 1. The applicant shall submit a letter of verification to Mitigation Monitoring Coordination (MMC) identifying the Principal Investigator (PI) for the project and the names of all persons involved in the paleontological monitoring program, as defined in the City of San Diego Paleontology Guidelines.

Page 15

- 2. MMC will provide a letter to the applicant confirming the qualifications of the PI and all persons involved in the paleontological monitoring of the project.
- 3. Prior to the start of work, the applicant shall obtain approval from MMC for any personnel changes associated with the monitoring program.

II. Prior to Start of Construction

- A. Verification of Records Search
 - The PI shall provide verification to MMC that a site specific records search has been completed. Verification includes, but is not limited to a copy of a confirmation letter from San Diego Natural History Museum, other institution or, if the search was in-house, a letter of verification from the PI stating that the search was completed.
 - 2. The letter shall introduce any pertinent information concerning expectations and probabilities of discovery during trenching and/or grading activities.

B. PI Shall Attend Precon Meetings

- 1. Prior to beginning any work that requires monitoring, the Applicant shall arrange a Precon Meeting that shall include the PI, Construction Manager (CM) and/or Grading Contractor, Resident Engineer (RE), Building Inspector (BI), if appropriate, and MMC. The qualified paleontologist shall attend any grading/excavation related Precon Meetings to make comments and/or suggestions concerning the Paleontological Monitoring program with the Construction Manager and/or Grading Contractor.
 - a. If the PI is unable to attend the Precon Meeting, the Applicant shall schedule a focused Precon Meeting with MMC, the PI, RE, CM or BI, if appropriate, prior to the start of any work that requires monitoring.
- 2. Identify Areas to be Monitored
 - Prior to the start of any work that requires monitoring, the PI shall submit a Paleontological Monitoring Exhibit (PME) based on the appropriate construction documents (reduced to 11x17) to MMC identifying the areas to be monitored including the delineation of grading/excavation limits. The PME shall be based on the results of a site specific records search as well as information regarding existing known soil conditions (native or formation).
- 3. When Monitoring Will Occur
 - a. Prior to the start of any work, the PI shall also submit a construction schedule to MMC through the RE indicating when and where monitoring will occur.
 - b. The PI may submit a detailed letter to MMC prior to the start of work or during construction requesting a modification to the monitoring program. This request shall be based on relevant information such as review of final construction documents which indicate conditions such as depth of excavation and/or site graded to bedrock, presence or absence of fossil resources, etc., which may reduce or increase the potential for resources to be present.

III. During Construction

A. Monitor Shall be Present During Grading/Excavation/Trenching

- 1. The monitor shall be present full-time during grading/excavation/trenching activities as identified on the PME that could result in impacts to formations with high and moderate resource sensitivity. The Construction Manager is responsible for notifying the RE, PI, and MMC of changes to any construction activities.
- 2. The monitor shall document field activity via the Consultant Site Visit Record (CSVR). The CSVR's shall be faxed by the CM to the RE the first day of monitoring, the last day of monitoring, monthly (Notification of Monitoring Completion), and in the case of ANY discoveries. The RE shall forward copies to MMC.
- 3. The PI may submit a detailed letter to MMC during construction requesting a modification to the monitoring program when a field condition such as trenching activities that do not encounter formational soils as previously assumed, and/or when unique/unusual fossils are encountered, which may reduce or increase the potential for resources to be present.

B. Discovery Notification Process

- 1. In the event of a discovery, the Paleontological Monitor shall direct the contractor to temporarily divert trenching activities in the area of discovery and immediately notify the RE or BI, as appropriate.
- 2. The Monitor shall immediately notify the PI (unless Monitor is the PI) of the discovery.
- 3. The PI shall immediately notify MMC by phone of the discovery, and shall also submit written documentation to MMC within 24 hours by fax or email with photos of the resource in context, if possible.

C. Determination of Significance

- 1. The PI shall evaluate the significance of the resource.
 - a. The PI shall immediately notify MMC by phone to discuss significance determination and shall also submit a letter to MMC indicating whether additional mitigation is required. The determination of significance for fossil discoveries shall be at the discretion of the PI.
 - b. If the resource is significant, the PI shall submit a Paleontological Recovery Program (PRP) and obtain written approval from MMC. Impacts to significant resources must be mitigated before ground disturbing activities in the area of discovery will be allowed to resume.
 - c. If resource is not significant (e.g., small pieces of broken common shell fragments or other scattered common fossils) the PI shall notify the RE, or BI as appropriate, that a non-significant discovery has been made. The Paleontologist shall continue to monitor the area without notification to MMC unless a significant resource is encountered.
 - d. The PI shall submit a letter to MMC indicating that fossil resources will be collected, curated, and documented in the Final Monitoring Report. The letter shall also indicate that no further work is required.

IV. Night and/or Weekend Work

A. If night and/or weekend work is included in the contract

- 1. When night and/or weekend work is included in the contract package, the extent and timing shall be presented and discussed at the precon meeting.
- 2. The following procedures shall be followed.
 - a. No Discoveries
 In the event that no discoveries were encountered during night and/or
 weekend work, The PI shall record the information on the CSVR and submit
 to MMC via fax by 8AM on the next business day.
 - Discoveries
 All discoveries shall be processed and documented using the existing procedures detailed in Sections III During Construction.
 - c. Potentially Significant Discoveries
 If the PI determines that a potentially significant discovery has been made, the procedures detailed under Section III During Construction shall be followed.
 - d. The PI shall immediately contact MMC, or by 8AM on the next business day to report and discuss the findings as indicated in Section III-B, unless other specific arrangements have been made.
- B. If night work becomes necessary during the course of construction
 - 1. The Construction Manager shall notify the RE, or BI, as appropriate, a minimum of 24 hours before the work is to begin.
 - 2. The RE, or BI, as appropriate, shall notify MMC immediately.
- C. All other procedures described above shall apply, as appropriate.

V. Post Construction

- A. Preparation and Submittal of Draft Monitoring Report
 - 1. The PI shall submit two copies of the Draft Monitoring Report (even if negative), prepared in accordance with the Paleontological Guidelines which deseribes the results, analysis, and conclusions of all phases of the Paleontological Monitoring Program (with appropriate graphics) to MMC for review and approval within 90 days following the completion of monitoring,
 - a. For significant paleontological resources encountered during monitoring, the Paleontological Recovery Program shall be included in the Draft Monitoring Report.
 - b. Recording Sites with the San Diego Natural History Museum
 The PI shall be responsible for recording (on the appropriate forms) any
 significant or potentially significant fossil resources encountered during the
 Paleontological Monitoring Program in accordance with the City's
 Paleontological Guidelines, and submittal of such forms to the San Diego
 Natural History Museum with the Final Monitoring Report.
 - 2. MMC shall return the Draft Monitoring Report to the PI for revision or, for preparation of the Final Report.
 - 3. The PI shall submit revised Draft Monitoring Report to MMC for approval.
 - 4. MMC shall provide written verification to the PI of the approved report.
 - 5. MMC shall notify the RE or BI, as appropriate, of receipt of all Draft Monitoring Report submittals and approvals.
- B. Handling of Fossil Remains

- 1. The PI shall be responsible for ensuring that all fossil remains collected are cleaned and catalogued.
- 2. The PI shall be responsible for ensuring that all fossil remains are analyzed to identify function and chronology as they relate to the geologic history of the area; that faunal material is identified as to species; and that specialty studies are completed, as appropriate
- C. Curation of fossil remains: Deed of Gift and Acceptance Verification
 - 1. The PI shall be responsible for ensuring that all fossil remains associated with the monitoring for this project are permanently curated with an appropriate institution.
 - 2. The PI shall include the Acceptance Verification from the curation institution in the Final Monitoring Report submitted to the RE or BI and MMC.
- D. Final Monitoring Report(s)
 - 1. The PI shall submit two copies of the Final Monitoring Report to MMC (even if negative), within 90 days after notification from MMC that the draft report has been approved.
 - 2. The RE shall, in no case, issue the Notice of Completion until receiving a copy of the approved Final Monitoring Report from MMC which includes the Acceptance Verification from the curation institution.

VI. DETERMINATION:

The City of San Diego previously prepared a Final Environmental Impact Report for the project described in the subject block of the attached EIR conclusions.

Based upon a review of the current project, it has been determined that:

- a. There are no new significant environmental impacts not considered in the previous EIR;
- b. No substantial changes have occurred with respect to the circumstances under which the project is undertaken; and
- c. There is no new information of substantial importance to the project.

Therefore, in accordance with Section 15164 of the State CEQA Guidelines this addendum has been prepared. No public review of this addendum is required per CEQA. However, pursuant to the City of San Diego Municipal Code, a 14-day public review is required because the FEIR being addended was certified more than three years ago.

VII. SIGNIFICANT UNMITIGATED IMPACTS:

There are no new significant impacts identified for the current project. However, the FEIR for the original project identified significant unmitigated impacts relating to landform alteration/visual quality (direct and cumulative); biological resources; and traffic.

Because there were significant unmitigated impacts associated with the original project approval, the decision maker was required to make specific and substantiated CEQA

Findings which stated that specific economic, social, or other considerations made infeasible the mitigation measures or project alternatives identified in the FEIR. No new CEQA Findings are required with this project. The decision maker also needed to adopt a Statement of Overriding Considerations finding that the significant impacts were acceptable because of specific overriding considerations. Similarly, the decision maker must go on record and identify whether there is substantial evidence supporting a statement of overriding considerations specifically tied to this project. Adoption of a new Statement of Overriding Considerations is thus required.

VI. PUBLIC REVIEW DISTRIBUTION:

U.S. Government

U.S. Fish & Wildlife Service (23)

Department of Transportation, region 9 (2)

State of California

Department of Fish & Game (32A)

Caltrans Planning, District 11 (31)

Caltrans, Division of Aeronautics (51)

City of San Diego

Mayor's Office (91)

Councilmember Hueso, District 8

Development Services Department

Development Project Manager- Patricia Grabski (MS 301)

Permit Planner-Corey Braun (MS 501)

Transportation Development-Victoria Huffman (MS 501)

City Planning and Community Investment Department

MSCP, Jeanne Krosch (MS 5A)

Theresa Millett (MS 4A)

City Attorney, Shirley Edwards (MS 59)

Fire and Life Safety (79)

Library Department – Gov't Documents (81)

Police Research & Analysis (84)

Real Estate Assets Department (85)

Historical Resources Board (87)

Park and Recreation – Open Space Division (89)

Environmental Services Department-Lisa Wood (93A)

Water Department

Metropolitan Wastewater Department - Mehdi Rastakhiz (MS 922)

San Ysidro Community Service Center (435)

Others

San Diego Transit Corporation (112)

SDG&E (114)

MTDB (115)

San Diego Regional Airport Authority (110)

County of San Diego, Air Pollution Control District (65)

San Diego Unified School District (125)

San Ysidro School District (127)

San Diego City Schools (132)

San Diego Community College District (133)

Sierra Club, San Diego Chapter (165/165A)

San Diego Audubon Society (167/167A)

Airport Relocation Committee (168)

California Native Plant Society (170)

Center for Biological Diversity (176)

Citizen's Coordinate for Century III (179)

Endangered Habitats League (182)

Clint Linton (215B)

Dr. Jerry Schaefer (208A)

South Coastal Information Center (210)

San Diego Historical Society (211)

San Diego Archaeological Center (212)

San Diego Natural History Museum (213)

Save Our Heritage Organization (214)

Ron Christman (215)

Louie Guassac (215A)

San Diego County Archaeological Society (218)

Kumeyaay Cultural Repatriation Committee (225)

Native American Distribution (225A-R) NOTICE ONLY

Barona Group of Capitan Grande Band of Mission Indians (225A)

Campo Band of Mission Indians (225B)

Cuyapaipe Band of Mission Indians (225C)

Inaja and Cosmit Band of Mission Indians (225D)

Jamul Indian Village (225E)

La Posta Band of Mission Indians (225F)

Manzanita Band of Mission Indians (225G)

Sycuan Band of Mission Indians (225H)

Viejas Group of Capitan Grande Band of Mission Indians (225I)

Mesa Grande Band of Mission Indians (225J)

San Pasqual Band of Mission Indians (225K)

Santa Ysabel Band of Diegueño Indians (225L)

La Jolla Band of Mission Indians (225M)

Pala Band of Mission Indians (225N)

Pauma Band of Mission Indians (2250)

Pechanga Band of Mission Indians (225P)

San Luiseno Band of Mission Indians/Rincon (2250)

Los Coyotes Band of Indians (225R)

Otay Water District - Robert Scholl

Otay Mesa Chamber of Commerce (231A)

Otay Mesa Planning Committee (235)

San Ysidro Planning and Development Group (433)

Kim Sheredy, ProjectDesign Consultants (Agent)

Pardee Homes (Owner/Applicant)

VII. RESULTS OF PUBLIC REVIEW:

- (X) No comments were received for the revised draft addendum to the environmental impact report during the public input period.
- () Comments were received but did not address the draft addendum to the environmental impact report. No response is necessary. The letters are attached.
- () Comments addressing the findings of the draft addendum to the environmental impact report were received during the public input period. The letters and responses follow.

Copies of the draft Addendum to the Environmental Impact Report, the previous Mitigation, Monitoring and Reporting Program and any technical appendices may be reviewed in the office of the Entitlements Division, or purchased at the cost of reproduction.

Attachments:

Figure 1- Site Plan

Figure 2- Multi-Dwelling Units (typical)

Figure 3- Recreational buildings (typical)

Figure 4- Location Map

California Terraces FEIR Conclusions (1994)

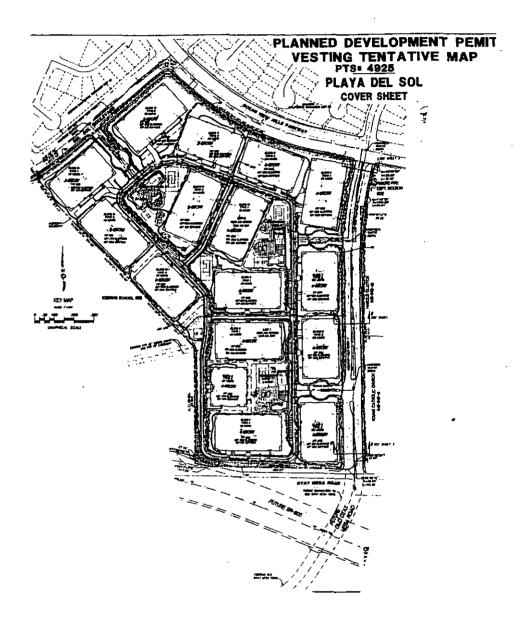
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October 15, 2008
Date of Draft Report

Analyst: Jeffrey Szymanski

evelopment Services Department

October 30, 2008
Date of Final Report

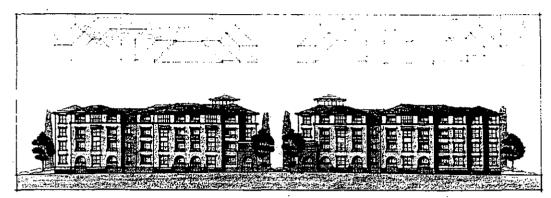




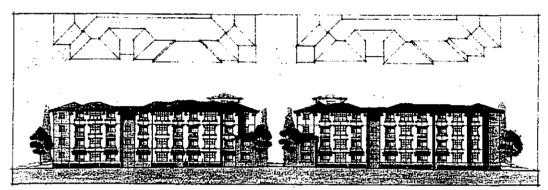
Site Plan

Playa Del Sol / Project No. 4925 City of San Diego – Development Services Department **FIGURE**

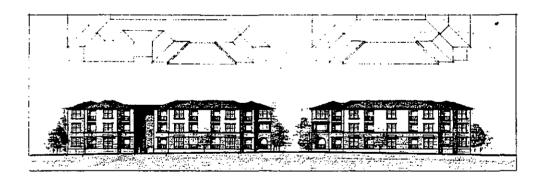
No. 1



Style "A"



Style "B"



Style "C"

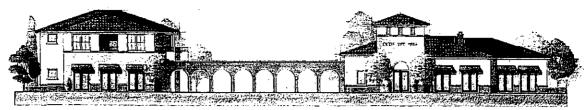


Multi-Dwelling Units

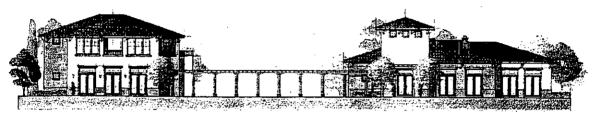
Playa Del Sol / Project No. 4925
City of San Diego – Development Services Department

FIGURE

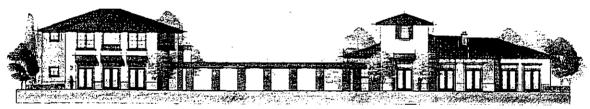
No. 2



Front Elevation



Front Elevation



Front Elevation Style C



Recreational Buildings

Playa Del Sol / Project No. 4925
City of San Diego – Development Services Department

FIGURE

No. 3

Traffic

The project redesign does not change the conclusions of the traffic report included in the Final EIR. However, subsequent to distribution of the Final EIR, Table 15 (Transportation Improvement Phasing) and Figure 39 (Precise Plan Proposed Street System and Buildout ADT) were modified by the Engineering and Development Department. The revised table and figure are attached.

Natural Communities Conservation Program/Multiple Species Conservation Plan (NCCP/MSCP)

The California gnatcatcher was listed as a threatened species on March 25, 1993 under the Federal Endangered Species Act (ESA) by the U.S. Secretary of the Interior. Subsequent to distribution of the Final EIR, the final Section 4(d) rule of the ESA became effective (December 10, 1993). The 4(d) rule allows the incidental take of the California gnatcatcher by allowing the City to approve the loss of up to 5% of existing coastal sage scrub habitat (through issuance of an Interim Habitat Loss Permit at the time of grading approval) while the MSCP is being completed. This approval must comply with the State NCCP guidelines which require findings relative to effect on regional preserve planning and mitigation. The applicant has chosen not to pursue an Interim Habitat Loss Permit from the City pursuant to Section 4 (d) of the EAS. Due to the lack of a mitigation proposal for impacts to California gnatcatcher habitat, the City would be unable to make the findings necessary to issue the interim permit. It would be the applicant's responsibility to obtain a permit from the U.S. Fish and Wildlife Service through Section 7 or 10 (a) of the ESA or some other vehicle, prior to the issuance of grading permits from the City.

Approval of the proposed project, as revised, would result in a direct loss of approximately 227 acres of coastal sage/maritime succulent scrub habitat. Up to 22 California gnatcatchers were observed on the project site at the time of the 1992 biological survey. The loss of this habitat is generally not consistent with the "Biological Standards and Guidelines for Multiple Species Preserve Design", an appendix to the Draft MSCP.

CONCLUSIONS:

The proposed California Terraces Precise Plan encompasses approximately 665-acres of vacant land located within the Otay Mesa Community Plan area. The California Terraces VTM (DEP No. 86-1032) consists of 543.5 acres, while the South Palm Vista VTM (DEP No. 90-0574) consists of 27.3 acres. The Precise Plan provides for development of 5,375 residential units over a total of 333.3 acres. The Precise Plan additionally includes five commercial sites totaling 24.4 acres, 153.4 acres of open space, four school sites totalling 54.7 acres, three parks totalling 25.7 acres, and other public facilities, all of which would be located within the associated California Terraces VTM.

City of San Diego

Memorandum

DATE: March 31, 1994

TO: All Interested Parties

FROM: Ann B. Hix, Principal Planner

SUBJECT: California Terraces Final Environmental Impact Report

(DEP No. 86-1032)

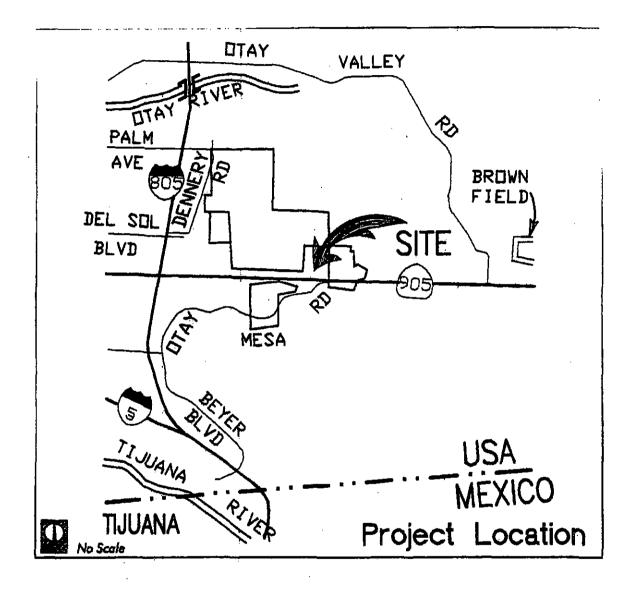
Subsequent to distribution of the Final Environmental Impact Report (EIR) for the California Terraces Precise Plan and associated maps and permits in November 1993, the applicant revised the project in response to input from the Planning Commission. The redesign would preserve approximately 15 acres of an unnamed canyon which bisects the northwestern portion of the project site and contains coastal sage scrub and maritime succulent scrub habitats and supports several sensitive species. Additionally, the Transportation Phasing Plan and Proposed Street System were modified and the final 4(d) rule of the Federal Endangered Species Act became effective.

The Conclusions to the Final EIR have been revised to reflect these modifications and the attached EIR is being redistributed. The modifications are minor in nature and do not effect the overall impact analysis or conclusions as presented in the original EIR. The Candidate Findings and Statement of Overriding Considerations have not been modified and are, therefore, not being redistributed.

Sincerely

Ann B. Hix, Principal Planner

ABH: CW



California Terraces 13/14



Location Map

Environmental Analysis Section Project No. 4987 CITY OF SAN DIEGO · DEVELOPMENT SERVICES Figure

1

TABLE 15 TRANSPORTATION IMPROVEMENT PHASING (continued)

	Thre	Threshold		
Improvement	Dwelling Units	Commercial Acres		
Improve Otay Mesa Road as a six-lane major street between California Terraces "A" Street and Palm Avenue.	5,138	24.4		
Improve Otay Mesa Road to six-lane major street standards between "A" Street and SR-905 ramps.	5,138			
Complete the construction of Palm Avenue as a six-lane primary arterial (with a separate westbound right turn lane onto the northbound 1-805 ramp) between 1-805 and west subdivision boundary.	5,138			
Construct Otay Mesa Road (extension of "A" Street) south of SR-905 as one half of a four-lane collector street to Parcel 26 access. Reserve four-lane collector right-of-way to southerly subdivision boundary.	N/A (subdivision	n map requirement)		
Construct Otay Mesa Road as one half of a four-lane collector street adjacent to Parcel 24 of California Terraces.	N/A (subdivision	n map requirement)		
Complete improvements of Otay Mesa Road to six-lane major street standards between east subdivision boundary and Palm Avenue.	5,375			
If SR-905 freeway is constructed prior to development of the south phase and CalTrans is unwilling to construct the future "A" Street bridge over SR-905 utilizing state funds, then construction of "A" Street will be a threshold condition of Parcels 24, 25 & 26 development.		SR-905 is completed traces build-out and fund the bridge)		

NOTES: Improvements to be assured to the satisfaction of the City Engineer before final maps for the listed thresholds can be approved.

"Threshold" indicates maximum amount of development allowed within California Terraces with assurance of the listed improvement.

Assured improvements to be completed, under contract, bonded, scheduled in the city Capital Improvements Program or Otay Mesa Financing Plan, to the satisfaction of the City Engineer.

This plan is intended to serve as a guideline for sequential development of street improvements. Because the geographic order of development is not certain, it may be necessary for the City Engineer to regularly review and revise this phasing plan in order to reflect current land development proposals and actual trip generation rates and trip distribution.

^{*}Only if development has direct access.

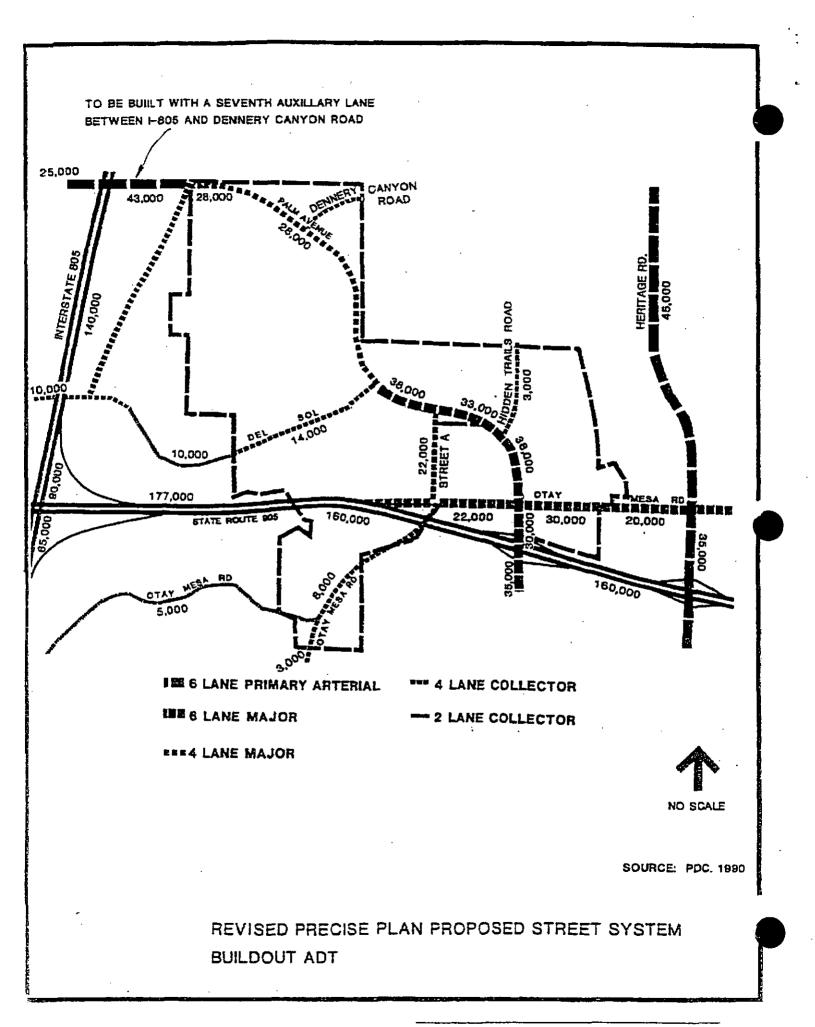


TABLE 15 (1-19-94) TRANSPORTATION IMPROVEMENT PHASING SOURCE: CALIFORNIA TERRACES FINAL DEIR

	Threshold		
Improvement	Dwelling Units	Commercial Acres	
Construct Palm Avenue as four lanes, two lanes each direction plus median, to primary arterial standards between I-805 and west subdivision boundary.	500*		
Construct Palm Avenue as four lanes to major street standards between first intersection and Dennery Canyon Road.			
Improve Palm Avenue/I-805 interchange as recommended in a project report. Improvements to be in place and operational.	1,513	5.5	
Construct Palm Avenue as a four-lane major street between Dennery Canyon Road and Del Sol Boulevard.	1,513	5.5	
Construct Palm Avenue as a minimum two-lane facility between Del Sol Boulevard and "A" Street to the satisfaction of the City Engineer.	1,513	5.5	
Construct "A" Street, an ultimate four-lane major street, as a minimum two-lane facility between Palm Avenue and Otay Mesa Road to the satisfaction of the City Engineer.	1,513	5.5	
Construct Del Sol Boulevard, north haif, as two lanes, one half of a four-lane collector street along subdivision map frontage.	N/A (subdivision	n map requirement)	
Construct Del Sol Boulevard, south half, as two lanes of a four-lane collector street along subdivision map frontage.		n-map/school/park irement)	
Complete the construction of Palm Avenue as a six-lane major street between Del Sol Boulevard and "A" Street.	3,934	8.4	
Construct easterly partial improvements of "A" Street as a four-lane major street between Palm Avenue and Otay Mesa Road.	3,934	8.4	
Construct Palm Avenue as a six-lane major street between "A" Street and Otay Mesa Road to the satisfaction of the City Engineer.	5,138	24.4	

<u>CALIFORNIA TERRACES</u> REVISED PRECISE PLAN VEGETATION IMPACTS

Habitat Type	Existing Acreage	Impacted Acreage*	Percent Remaining
Maritime succulent scrub	65.7	<u>3740</u> .0	4439
Diegan coastal sage scrub	286.0	<u>190202.</u> 0	<u>3430</u>
Nonnative grassland	244.0	224.5	8
Southern mixed chaparral	1.8	0.0	100

^{*}Including brush management impacts from Zones 2 and 3.

The above mitigation monitoring and reporting program will require additional fees and/or deposits to be collected prior to the issuance of building permits, certificates of occupancy, and/or final maps to ensure the successful completion of the monitoring program.

Ann B. Hix, Principal Planner City Planning Department December 14, 1992
Date of Draft Report

November 16, 1993

Date of Final Report

March 24, 1994
Date of Revised Final
Report

Analyst:

O'Boyle

PUBLIC REVIEW:

The following individuals, organizations, and agencies received a copy or notice of the draft EIR and were invited to comment on its accuracy and sufficiency:

Federal Government

U.S. Army Corps of Engineers

Fish and Wildlife Service

Environmental Protection Agency (EPA)

Department of Agriculture, Soil Conservation Service

International Boundary and Water Conservation

Federal Aviation Administration (FAA)

Department of Transportation

Division of Aeronautics

U.S. Department of Justice

Immigration & Naturalization Service (INS)

Border Patrol

State of California

CALTRANS, District 11

CALTRANS, Division of Aeronautics

California Department of Fish and Game

California Department of Transportation

Division of Aeronautics

Regional Water Quality Control Board, Region 9

Air Resources Board

Native American Heritage Commission

Office of Planning and Research

Resources Agency

State Clearinghouse

County of San Diego

Department of Parks and Recreation

Water Authority

Air Pollution Control District

Department of Planning and Land Use

City of San Diego

Councilmember Filner, District 8

Tim O'Connell, Mayor's Office

Engineering and Development Department

Lisa Adams

City Geologist, Rob Hawk

Building Inspection Department

Noise Abatement Division

City Geologist, Werner Landry

Transportation and Traffic Engineering

Planning Department

Development and Environmental Planning

Landscape Planning Section

Community Planning

Park and Recreation Department, Nancy Acevedo

Police Department

Fire Department

Water Utilities

General Services Airport Division

Brown Field, Michael Tussey

Metropolitan Transit Development Board

City of Chula Vista

Planning Department, Lance Fry

City of Imperial Beach

Planning Department

Local

San Diego Association of Governments (SANDAG)

San Ysidro School District

Chula Vista School District

Sweetwater Union High School District

Sierra Club, San Diego Chapter

San Diego Natural History Museum

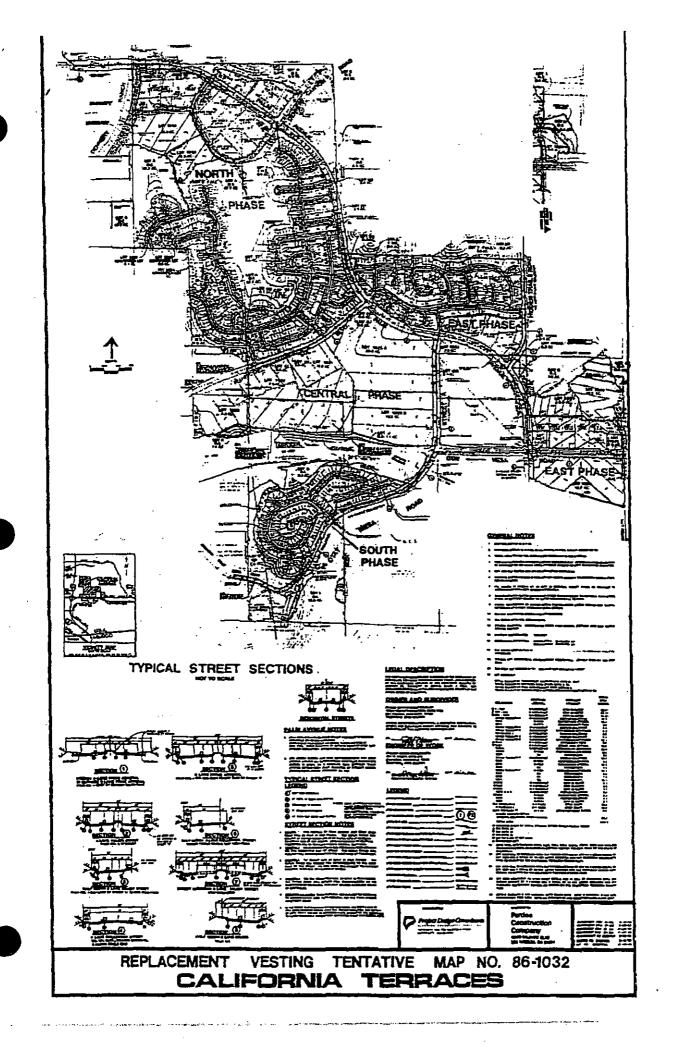
San Diego Audubon Society

Airport Relocation Committee

California Native Plant Society

San Diego Museum of Man

San Diego County Archaeological Society, Inc.



South Coastal Information Center, San Diego State University Kumeyaay Cultural Historic Committee
Citizens Coordinate for Century III
Otay Mesa Community Planning Group
Otay Mesa/Nestor Community Planning Group
Otay Mesa Development Council
Otay Chamber of Commerce
Otay Mesa Branch Library
San Diego Gas and Electric Company
Janay Kruger
Michael A. Vogt
Pardee Construction Company, Owner
Keith Keeter, PDC, Agent

Copies of the draft EIR, the Mitigation Monitoring and Reporting Program and any technical appendices may be reviewed in the office of the Development and Environmental Planning Division, or purchased for the cost of reproduction.

RESULTS OF PUBLIC REVIEW:

- () No comments were received during the public input period.
- () Comments were received but the comments do not address the accuracy or completeness of the environmental report. No response is necessary and the letters are attached at the end of the EIR.
- (X) Comments addressing the accuracy or completeness of the EIR were received during the public input period. The letters and responses follow.

A summary report, even if negative, shall be prepared and submitted to EAS to confirm that a paleontological study has been conducted for the project prior to the issuance of building permits.

Traffic

The proposed project at its ultimate build out would generate a 50,859 ADT volume. This increase would have a significant impact on the regional traffic circulation system in the Otay Mesa planning area. In particular the increased in ADTs would contribute 19,628 ADT to SR-905, 10,600 ADT to Otay Mesa Road, 22,980 ADT to Palm Avenue, as well as impacts to on and off ramps to I-805 and SR-905. Mitigation outlined in Section G (Traffic Circulation) of the EIR would reduce these impacts to a level less than significant.

Noise

The potential for significant noise impacts exists. Noise generated along major roadways including Palm Avenue, Del Sol Boulevard, SR-905, and Street "A" could exceed City standards for residential, commercial, school, and park uses. Mitigation in the form of noise attenuation barriers have been proposed, however, the walls would only be effective on attenuating noise at ground floor levels. Mitigation for second story interior noise levels and outdoor balconies would have to be addressed in future noise studies. Implementation of all proposed noise mitigation shall be completed prior to issuance of occupancy permits. All sound attenuation barriers would have to be implemented prior to issuance of any CPIOZ permits. Mitigation outlined in Section F (Noise) would reduce impacts to below a level of significance.

Biology

Partial mitigation for impacts to vernal pool habitat would consist of implementing the on and off-site vernal pool preservation plan partially within the California Terraces VTM and on the adjacent Otay Corporate Center property. This plan is included in Appendix C of the EIR.

Partial mitigation for impacts to biological resources for the South Palm Vista VTM (DEP No. 90-0574) has been accomplished by realignment of Del Sol Boulevard to the south, into the South Palm Precise Plan area.

Partial mitigation for impacts to biological resources caused by implementation of brush management requirements would consists of contracting a qualified biologist during clearing of vegetation during maintenance periods. This would ensure minimal removal of native vegetation in accordance with the Landscape Technical Manual and brush management plan, thus reducing impacts to wildlife habitat.

The foregoing measures shall be implemented through conditions of approval for the proposed Precise Plan and VTMs. These measures shall be noted on the grading plans for

the VTMs. Prior to issuance of the grading permit, EAS shall review the plans to ensure implementation of these measures.

Cultural Resources

Implementation of the California Terraces Precise Plan would completely or partially impact 16 of the 19 archaeological sites located within the project boundaries. The three sites not to be impacted, which were found not to be significant, would be placed in open space. Three of the 16 sites which would be impacted were found to be significant. A data recovery and analysis program are on-going which would reduce the impacts to these cultural resources to below a level of significance. Cultural Resources mitigation is addressed in detail in Section E (Cultural Resources) of the EIR.

Public Services and Facilities

Schools

Development of the California Terraces Precise Plan and associated VTMs would cause potentially significant short-term impacts to existing over-crowded facilities. Significant impacts could occur if the school sites are not developed as proposed. The mitigation measures outlined in Section I (Public Services and Utilities) of the EIR would reduce the longterm impacts to a level less than significant.

Water Supply and Facilities

Significant water and sewer service impacts could be mitigated by implementing those measures outlined in Section I (Public Services and Utilities) of the EIR. All off-site improvements would be completed prior to the final map. All on-site improvements must be completed prior to issuance to any building permits. All improvements shall be completed to the satisfaction of the Director of Water Utilities. All mitigation shall be noted as mitigation on the grading plan for the VTMs. Prior to the issuance of grading permits and building permits, EAS shall review the plans to ensure implementation of these measures.

Erosion/Water Quality

Drainage plans shall be submitted to the City Engineer for review and approval prior to issuance of grading permits and shall incorporate facilities such as storm drains, retention basins, sediment basins, and energy dissipators to provide for control of long-term erosion, sedimentation, and pollutants in project runoff. The mitigation measures outlined in Section C (Geology/Soils and Erosion/Water Quality) of the EIR would reduce impacts to a level less than significant.

Air Ouality

Considered with other new developments in the air basin, implementation of the California Terraces Precise Plan would contribute to nonattainment of clean air standards. The project would result in increased emissions due primarily to an increase in emissions from mobile sources. The nonattainment of clean air is considered a significant cumulative impact of the project.

RECOMMENDED ALTERNATIVES FOR SIGNIFICANT UNMITIGATED IMPACTS:

The EIR identifies several environmentally superior alternatives to the proposed project. These alternatives include:

The Reduced Grading Alternative would substantially reduce impacts associated with the proposed project. The Reduced Grading Alternative would reduce landform alteration impacts to below a level of significance and would reduce visual impacts associated with excessive grading by avoiding steep slopes and keeping all manufactured slopes below 60 feet in height. This alternative would increase the proposed open space and reduce impacts to biology.

Adoption of this alternative would reduce the number of residential units to 2,360. Additionally, portions of the project site would have to be redesigned so as to accommodated proposed commercial, park, and school sites.

The Alternative Grading/Product Type Alternative would substantially reduce impacts to land use, landform alteration, visual quality, and biology. Construction techniques such as "stepping down" or terrace designed developments would follow the existing grade more closely than the currently proposed flat pad design. Residential units could be clustered to create views from the road system between groups of units, protecting visually significant portions of the existing landform. This could be accomplished without a loss in the number of units. This alternative would reduce impacts to biologically sensitive resources, increase open space, and conform with the environmental goals of the Otay Mesa Community Plan and utilize the Hillside Review Guidelines.

Adoption of this alternative would increase the costs of construction. A portion of the increased construction costs resulting from this more sensitive approach would be offset by the reduction in the costs for grading and quantity of landscaping required.

3) The <u>Increased Open Space Alternative</u> would substantially reduce biological and landform alteration/visual quality impacts. This is the environmentally preferred alternative because it would reduce grading into steep slopes, preserve environmentally valuable canyons, as well as lessen the direct and indirect impacts to numerous sensitive species and their habitat on-site.

Implementation of this alternative would reduce the number of proposed dwelling units

by approximately 1,885. Portions of the project site would have to be redesigned, such as road alignments, to accommodate the increased open space. The applicant has rejected this alternative because it does not achieve an equivalent number of units as the proposed project.

Unless mitigation measures or project alternatives are adopted, project approval will require the decision maker to make Findings, substantiated in the record, which state that: a) individual mitigation measures or project alternatives are infeasible, and b) the overall project is acceptable despite significant impacts because of specific overriding considerations.

MITIGATION, MONITORING AND REPORTING PROGRAM INCORPORATED INTO THE PROJECT: (See the attached EIR for specific details regarding mitigation.)

Landform Alteration

The requirement of contour grading, horizontal and vertical undulation, variable slope ratios, and rounding of tops and toes of slopes shall be depicted on the project grading plans and shall be included as environmental mitigation notes. The plans shall be reviewed and approved by the Principal Planner of the Environmental Analysis Section (EAS) prior to the issuance of any grading or pre-grading permits or recordation of final maps for the project.

Prior to the issuance of building permits, the field inspectors and EAS shall determine upon final review of the graded site that slopes have been blended into the natural terrain to the maximum extent feasible, that landscaping has been properly installed, and that variable slope gradients have been created on all slopes in accordance with the approval plans.

The foregoing measures shall be implemented through conditions of approval for the proposed Precise Plan and VTMs.

Geology/Soils/Paleontology

The Precise Plan and VTMs shall implement mitigation measures relative to excavation, compaction, building foundations, and surface drainage that would reduce the potential for impacts from present geotechnical constraints on the property. The final grading plan shall be subject to approval by the Engineering and Development Department (E&DD) and shall be submitted prior to issuance of any grading permits. All specifications established by the geotechnical report shall be incorporated into final grading plans and specifically noted as mitigation. Prior to the issuance of grading permits, EAS and E&DD shall review the plans to ensure implementation of these measures.

Approval of the proposed project shall contain a paleontological mitigation monitoring program in the areas of fossil-bearing geologic formations to mitigate potentially significant impacts to paleontological resources. The vesting tentative maps shall included measures for a paleontologist to monitor earth movement during grading. This would allow salvaging any exposed fossil remains.

The project has been redesigned in an effort to resolve planning, engineering, and environmental issues and to provide for a contiguous, regional open space system within Dennery Canyon. However, implementation of the proposed project would still result in significant unmitigated land use, landform alteration/visual quality, biological resources, public services, and cumulative impacts.

Land Use

Significant unmitigated impacts would occur due to the project's inconsistency with provisions of the RPO relative to development of biologically sensitive lands within the South Palm Vista VTM. Neither the California Terraces Precise Plan nor either associated VTMs, as proposed, are consistent with the environmental goals of the Otay Mesa Community Plan and development guidelines for the HR Overlay Zone. Feasible mitigation for the loss of sensitive resources is not provided by the proposed project.

Landform Alteration/Visual Quality

The proposed project would require approximately 12.83 6.7 million cubic yards of earthwork (13,200 10.080 cubic yards of earthwork per graded acre). The grading impact is considered significant due to the creation of 15 manufactured slopes in excess of 60 feet in height with the tallest manufactured slope at 120 feet. The proposed grading would reduce the height of the mesa top by approximately 30 feet in the northwest corner and by zero to ten feet over most of the project site, changing the elevation of the mesa from 500 feet above mean sea level (MSL) to approximately 470 feet MSL. Grading techniques have been incorporated into the project which would partially reduce impacts to landform alteration and visual quality, but not to below a level of significance.

Noise attenuation barriers represent a potential significant impact to visual quality. As currently proposed several large noise attenuation barriers are proposed along the major roadways including: Palm Avenue, Del Sol Boulevard, and SR-905. In a number of places, these barriers as currently proposed would reach heights of 7 to 10 feet for approximately 1400 feet, thus creating a walled affect. The use of landscaped berms or combination landscaped berms and walls could reduce this impact to below a level of significance.

Biology

Approximately 187 acres (70 percent) of high-quality, undisturbed Diegan coastal sage scrub and 34 acres (67 percent) of maritime succulent scrub habitat would be lost. Additionally, all of the disturbed Diegan coastal sage scrub (15 acres) would be impacted. Approximately 241 acres (99 percent) of non-native grassland would be lost. Twenty-five (78 percent) of the 32 vernal pools within the Precise Plan area and the sensitive plant species found in them, including all of the San Diego button celery would be lost. Additional sensitive plant species which would be lost include coastal barrel cactus, San Diego sunflower, cliff spurge, San Diego bur-sage, Otay Mesa mint, ashy spikemoss, as well as the only specimen of the state-endangered small-leaved rose.

The substantial loss of such sensitive habitats and plant species represents a significant impact to numerous sensitive wildlife species. The California gnatcatcher, which is proposed for listing under the Endangered Species Act, utilizes coastal sage scrub habitat and would be significantly impacted. Seven federal Category 2 candidates would also be impacted by the loss of habitat: the San Diego horned lizard, the Orange-throated whiptail, the California horned lark, the Bell's sage sparrow, Southern California rufous-crowned sparrow, San Diego cactus wren, and the San Diego black-tailed jackrabbit. Additionally, loss of non-native grassland would impact foraging habitat for several sensitive raptor species, all of which are protected by the State of California.

One hundred thirty two acres of the Precise Plan area are proposed as natural open space. Although appearing substantial, the majority of the open space would be fragmented, with the exception of 36 acres within Dennery Canyon, thus offering remote chance of long term viability for resident wildlife and their habitat. Dennery Canyon offers the best possibility for long term wildlife viability.

Complete mitigation for biological impacts could be accomplished by off-site acquisition, or redesign of the project to significantly expand areas of natural open space. Alternatives to the proposed project are discussed below and in detail in Chapter 6 of the EIR.

Public Services

Schools

Existing schools in the area surrounding the Precise Plan are currently operating at or above capacity. The Precise Plan proposes three elementary school sites and one junior high school site. Prior to construction of these school sites the students generated by the proposed project would attend existing schools. The overcrowding of existing schools would be exasperated and a short term significant impact would result. Ultimately the proposed schools would alleviate the overcrowding caused by the proposed development.

Before any of the proposed schools could be constructed the sites must be approved by the appropriate school districts, as well as the State of California because the school sites fall within a two mile radius of Brown Field.

Cumulative Impacts

Schools

Developer fees are insufficient to provide permanent high school facilities to accommodate the students generated from the proposed project. As a result, the Sweetwater Union High School District is expected to be adversely affected causing a significant cumulative impact to school and educational services for students. This cumulative impact could be mitigated by the establishment of a Mello-Roos District.

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Plan	/California	Тетта							range for both the Otay Mesa (s of the Otay Mesa Community		
INSTRUCTIONS TO THE CITY CLERK: A ten (10) day public notice is required in a newspaper and to property owners and tenants within 300 feet of the property. Return one (1) copy of the resolutions to Patricia Grabski, MS 302.											

EXECUTIVE SUMMARY SHEET

DATE REPORT ISSUED: November 6, 2008 REPORT NO.: PC-08-151

ATTENTION: Council President and City Council

ORIGINATING DEPARTMENT: Development Services Department

SUBJECT: Playa del Sol - Project Number 4925

COUNCIL DISTRICT: 8

STAFF CONTACT: Patricia Grabski, (619) 446-5277, pgrabski@sandiego.gov

REQUESTED ACTIONS:

Vesting Tentative Map; Easement Vacations; and a Planned Development Permit to construct 16 multi-story condominium structures consisting of 1,578 multi-family units on a previously graded 45.97 acre site in Planning Area 6 of the California Terraces Precise Plan (CTPP) within the Otay Mesa Community Plan area.

STAFF RECOMMENDATIONS:

- 1. Certify Addendum No. 4925 to Final Environmental Impact Report No. 86-1032; and adopt the Mitigation, Monitoring and Reporting Program.
- 2. Approve Vesting Tentative Map No. 551809; Easement Vacation No. 580203; and Planned Development Permit No. 8075.

EXECUTIVE SUMMARY:

The 45.97 acre project site is located south of Ocean View Hills Parkway, north of State Route 905 and west of A Street within the CTPP, Planning Area 6 area and the Otay Mesa Community Plan area. The land use designation is medium-high residential and the zoning is RS-1-14 and RM-3-7, which allows for multi-family residential development.

In 1994, the City of San Diego certified the Final Environmental Impact Report (FEIR) for the California Terraces Precise Plan. Currently, the majority of the CTPP area has been either mass graded or is developed, including the subject site. The site is not adjacent to the Multiple Habitat Planning Area (MHPA).

The proposed project consists of 1,578 multi-family units within 16 multi-story condominium structures. The 16 residential buildings would consist of 10 four-story buildings and 6 three-story building. The units would range in size from one to four bedrooms (1,050 square feet to 1,400 square feet). Two levels of underground parking would be provided within each of the residential buildings. The project would also include three 9,600 square-foot recreational buildings and associated common open space. Access to the site would be provided from two locations along the future Old Otay Mesa Road/proposed public Street A and Del Sol Boulevard.

A Vesting Tentative Map is requested to subdivide the site into three lots for residential condominium development and one for a Home Owner's Association lot. There is also a request to vacate a retention basin and a temporary construction easement. The easements were necessary for the widening of Otay Mesa Road, however now that the road widening has been completed the easements are no longer necessary.

A Planned Development Permit is required to grant deviations from the RM-3-7 height limit of 40 feet to a maximum of 58 feet. The increase in height is necessary to

accommodate the density envisioned by the California Terraces Precise Plan. The height deviation will allow more units to be built on the site than if the 40-foot height limit were strictly applied.

Deviations from the RM-3-7 zone setback requirements are requested for street side yards and side yard setbacks. The setback deviations are supported. The density envisioned in the California Terraces Precise Plan would not be achieved if the setback was strictly applied and the proposed setbacks are consistent with the surrounding development pattern.

FISCAL CONSIDERATIONS:

None with this action. All costs associated with the processing of this project are paid for by the applicant.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

In 1994, the City of San Diego certified Final Environmental Impact Report No. 86-1032 for the California Terraces Precise Plan.

PLANNING COMMISSION ACTION:

On November 13, 2008, the Planning Commission voted 4:2:0 to approve the project with two suggestions: 1) use solar photovoltaic for the common areas, and 2) switch Buildings 8 and 9 (4-stories) with Buildings 12 and 13 (3-stories) to place the shorter buildings adjacent to the single-family homes to the north of the site. The applicant is investigating the use of photovoltaic for the common areas and has agreed to a permit condition that requires Buildings 8 and 9 to be 3-stories and Buildings 12 and 13 to be 4-stories.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

On August 16, 2006, the Otay Mesa Planning Group voted 14-2-0 to support the project with the following conditions: 1) consider noise attenuation for the residents; 2) analyze traffic calming measures on Ocean View Hills Parkway; and 3) examine the inclusion of bus transit in the community. These issues were analyzed, but were not implemented. For a discussion see attached report (PC-08-151), Community Planning Group Recommendation Section.

KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

Pardee Homes

Kelly Broughton

Director, Development Services Department

ATTACHMENT: Planning Report PC-08-151



THE CITY OF SAN DIEGO

330 01/20

REPORT TO THE PLANNING COMMISSION

DATE ISSUED:

November 6, 2008

REPORT NO. PC-08-151

ATTENTION:

Planning Commission, Agenda of November 13, 2008

SUBJECT:

PLAYA DEL SOL - PROJECT NO. 4925. PROCESS 5

OWNER/

APPLICANT:

Pardee Homes (Attachment 15)

SUMMARY

<u>Issue(s)</u>: Should the Planning Commission recommend to the City Council approval of a Vesting Tentative Map; Easement Vacations; and a Planned Development Permit to construct 16 multi-story condominium structures consisting of 1,578 multi-family units on a previously graded 45.97 acre site in Planning Area 6 of the California Terraces Precise Plan in the Otay Mesa Community Plan area?

Staff Recommendations:

- 1. **RECOMMEND CERTIFICATION** by the City Council of Addendum No. 4925 to Final Environmental Impact Report No. 86-1032; and
- 2. **RECOMMEND APPROVAL** by the City Council of Vesting Tentative Map (VTM) No. 551809; Easement Vacation No. 580203; and Planned Development Permit (PDP) No. 8075.

Community Planning Group Recommendations: On August 16, 2006, the Otay Mesa Planning Group voted 14-2-0 to support the project with the following addressed: 1) consider noise attenuation for the residents; 2) analyze traffic calming measures on Ocean View Hills Parkway; and 3) examine the inclusion of bus transit in the community (Attachment 14). For a discussion of these recommendations, see the Community Planning Group Recommendation Section of this report.



Environmental Review: Addendum No. 4925 to Environmental Impact Report No. 86-1032 (California Terraces Precise Plan) was prepared, circulated and finalized pursuant to the California Environmental Quality Act (CEQA) in accordance with State CEQA Guidelines. Although no new significant impacts have been identified for the current project, the Mitigation, Monitoring and Reporting Program, (MMRP) prepared for the FEIR, certified in 1994, identified measures which were to be applied to all subsequent projects within the California Terraces Precise Plan area.

<u>Fiscal Impact Statement</u>: None with this action. All costs associated with the processing of this project are paid for by the applicant.

Code Enforcement Impact: None associated with this action.

Housing Impact Statement:

Housing Impact Statement

The proposed project would provide 1578 multi-family dwelling units within the Otay Mesa Community Plan Area and the California Terraces Precise Plan Area. The proposed project has a Medium High Residential designation with a density range of 30-45 du/ac per the Otay Mesa Community Plan and 30-43 du/ac per the California Terraces Precise Plan. The approximately 45.97 acres would allow the development of 1379-1977 dwelling units. The proposed project's 1578 dwelling units would be within the approved density range and would not adversely affect the residential density goals of the Otay Mesa Community Plan and the California Terraces Precise Plan.

The project is exempt from the City's affordable housing requirements (pursuant to the Subdivision Map Act-Government Code section 66498.1-66498.9) because the Vesting Tentative Map application was deemed completed prior to the adoption of the Inclusionary Housing Ordinance. Consequently, this project is not required to provide, nor is it volunteering to provide any affordable housing units.

BACKGROUND

The 45.97 acre project site is located south of Ocean View Hills Parkway, north of State Route 905 and west of A Street within the California Terraces Precise Plan, Planning Area 6 (PA 6) (Attachment 1). The site is within the Otay Mesa Community Plan area, the land use designation is medium-high residential (Attachment 2). The site is zoned RS-1-14 and RM-3-7, which allows for multi-family residential development.

In 1994, the City of San Diego certified the Final Environmental Impact Report (FEIR) for the California Terraces Precise Plan. The precise plan included approximately 665 acres in the western portion of Otay Mesa and proposed 5,375 residential dwelling units, 24.4 acres of commercial uses, 153.4 acres of open space, four school sites totaling 53.6 acres, three parks

totaling 26.2 acres, and other public facilities. At the time the FEIR was certified, the following actions were approved by the City of San Diego Council: Precise Plan; Master Rezone; Vesting Tentative Map; Hillside Review Permit; Resource Protection Ordinance Permit; Planned Residential Development; Small Lot Overlay Zone, and a Community Plan Amendment. In addition, the original project approvals included a U.S. Army Corps of Engineers 404 Permit, a Biological Opinion from the U.S. Fish and Wildlife Service and a substantial conformance review by the City of San Diego for consistency with the Multiple Species Conservation Program (MSCP).

Currently, the majority of the California Terraces Precise Plan area has been either mass graded or is developed. The proposed project site, known as Playa del Sol, is currently vacant and was mass graded in 1997 and 1999. The project area is not adjacent to the Multiple Habitat Planning Area (MHPA); therefore, MHPA guidelines do not apply.

DISCUSSION

Project Description:

The proposed project consists of 1,578 multi-family units within 16 multi-story condominium structures on a previously graded 45.97 acre site (Attachment 5). The 16 residential buildings would consist of 10 four-story buildings and 6 three-story building. The units would range in size from one to four bedrooms (1,050 square feet to 1,400 square feet). Two levels of underground parking would be provided within each of the residential buildings. The project would also include three 9,600 square-foot recreational buildings and associated common open space.

The project proposes various types of architectural themes, setbacks, fencing, lighting, colors and materials, and landscaping. Proposed indoor recreational facilities include fitness centers, racquet ball courts and assembly rooms. Common space areas would include, but not limited to, three swimming pools, two tennis courts, two 1/2 basketball courts, two sand volleyball courts, picnic areas and three tot lots.

Architectural styles to be implemented are Mediterranean, Early California style, and classical forms of civic architecture. The Mediterranean style will feature flat concrete tile roof tiles, decorative metal railings, decorative window awnings, foam window trim, foam trim bands, wood trellises, stucco walls, and stucco reglets (a narrow flat molding). The Early California style will feature s-shaped concrete tile roof tiles, decorative metal railings, wood brackets at the eaves, foam window trim, foam trim bands, wood trellises, stucco walls, and stucco reglets. The classical style will feature flat concrete tile roof tiles, decorative metal railings, decorative window awnings, foam window trim, foam trim bands, wood trellises, stucco walls, and stucco reglets (Attachment 6). The majority of the proposed parking would be located underground.

Access to the site would be provided from two locations along the future Old Otay Mesa Road/proposed public Street A and Del Sol Boulevard (Attachment 5). The project is in

compliance with the landscaping and parking requirements of the Land Development Code.

Vesting Tentative Map

A Vesting Tentative Map is requested to subdivide the site into three lots for residential condominium development and one a Home Owner's Association lot (Attachment 7).

Easement Vacations

The project is requesting to vacate a retention basin and a temporary construction easement, which are located in the southern portion of the project site. The easements were both necessary for the widening of Otay Mesa Road, but are no longer necessary since the road widening is complete (Attachment 7).

Planned Development Permit

Height Deviations

The applicant is requesting a deviation from the required RM-3-7 height limit of 40 feet to a maximum of 58 feet. The highest roofline of any of the buildings would be 52 feet, the additional 6 feet is for the elevator towers. The rooflines range in height from 40 to 52 feet, and with the elevator towers, the overall heights are 46 to 58 feet high. The tallest structures are located towards the southern end of the project and are generally located away from the existing single-family residences to the north (Attachment 8).

The increase in height is necessary to accommodate the density envisioned by the California Terraces Precise Plan. The height deviation will allow more units to be built on the site than if the 40-foot height limit were strictly applied. Further, to meet the height and density regulations of the RM-3-7 zone the units would have to be smaller. In association with the Otay Mesa Community Plan Update, a survey was conducted by SourcePoint in both single family units and multi-family units in the Otay Mesa and Otay Ranch area to determine household sizes. The survey results established that the multi-family units in the Otay region had an average of 3.45 persons per household. Given the population per household in Otay Mesa is currently 3.45, the provision of smaller units in order to try and reduce the overall building height would not address the housing needs of the area and would be a less desirable project. The project proposes a mix of one, two, three, and four bedroom units based on the demonstrated demand for larger units in this portion of San Diego. By providing a variety of unit types, the applicant would help to make Otay Mesa a more balanced community which is consistent with the Housing Element.

The following Table depicts each building's overall height, as well as, the total height including the elevator towers:

Building Number	Maximum Overall Building Height (without Elevator Tower)	Maximum Building Height with Elevator Tower (adds 6 feet to overall height)
1	52 feet	58 feet
2	52 feet	58 feet
3	52 feet	58 feet
4	52 feet	58 feet
5	52 feet	58 feet
6	52 feet	58 feet
7	52 feet	58 feet
8	51 feet	57 feet
9	51 feet	57 feet
10	52 feet	58 feet
11	41 feet	47 feet
12	42 feet	48 feet
13	42 feet	48 feet
14	42 feet	48 feet
15	42 feet	48 feet
16	40 feet	46 feet

Setback Deviations

The applicant is requesting the following setback deviations to the RM-3-7 zone (Attachment 9).

Lot 1:

- 1) The RM-3-7 zone requires a street side yard setback of 76 feet (or 10 percent of the lot width) along Otay Mesa Road, 30 feet is proposed.
- 2) The RM-3-7 zone requires a street side yard setback of 76 feet (or 10 percent of the lot width) along the northern side of the lot, 15 feet is proposed.

Lot 2:

- 1) The RM-3-7 zone requires a street side yard setback of 76 feet (or 10 percent of the lot width) along A Street, 20 feet is proposed.
- 2) The RM-3-7 zone requires a side yard setback of 76 feet (or 10 percent of the lot width) along the western side of the lot, 12 feet is proposed.

Lot 3:

- 1) The RM-3-7 zone requires a street side yard setback of 75 feet (or 10 percent of the lot width) along Del Sol Boulevard, 40 feet is proposed.
- 2) The RM-3-7 zone requires a side yard setback of 75 feet (or 10 percent of the lot width) along the southeastern side of the lot, 15 feet is proposed.

The setback deviations are supported because the density envisioned in the California Terraces Precise Plan would not be achieved if the setback were strictly applied. There are no other projects in the area that have 67-foot or similar setbacks, therefore the proposed setbacks are consistent with the existing development pattern of Ocean View Hills.

Community Plan Analysis

The proposed project, Planning Area 6 within the California Terraces Precise Plan, would develop 1578 dwelling units on an approximately 45.97-acre site in the Otay Mesa Community Planning Area with a density yield of 34.3 dwelling units per acre. The site is designated in the Otay Mesa Community Plan and the California Terraces Precise Plan as Medium High Residential (30-45 du/ac), and the proposed project would not adversely impact the goals and objectives of the precise plan and the community plan (Attachment 2).

In March 2008, a comprehensive update of the City's General Plan was adopted by City Council and is based on the City of Villages Strategy developed with the Strategic Framework Element. An updated version of the Strategic Framework comprises the introductory chapter of the new General Plan. The following analysis addresses how the project would help implement the City's General Plan, the Otay Mesa Community Plan, and the California Terraces Precise Plan.

The General Plan's Land Use and Community Planning Element includes policy direction to implement the City of Villages Strategy within the context of San Diego's community planning program. The element includes goals for balanced communities and equitable development through the provision of a variety of housing types and sizes with varying levels of affordability in residential and village developments. Specifically, the plan includes the goal of ensuring diverse and balanced neighborhoods and communities with housing available for households of all income levels. The plan also establishes each community plan as an essential component of the Land Use Element, where site-specific land use and density designations and recommendations are provided: The Otay Mesa Community Plan residential objectives include providing a balanced community in terms of housing types and economic appeal, with development to occur only as full community needs and amenities may be met. The proposed project's 1578 dwelling units would be within the approved density range and would not adversely affect the residential density goals of the Otay Mesa Community Plan or the California Terraces Precise Plan. As a planning area within the California Terraces Precise Plan area, the proposed project would provide attached units and would help satisfy the Precise Plan's goal for creating a balanced community. The attached units would be affordable in nature, and would provide alternative housing options to the existing single family development. The proposed project is located near the town center site, with good access to schools, freeways, major circulation roads, and future community services and facilities.

The purpose of the General Plan's <u>Mobility Element</u> is to improve mobility through development of a balanced, multi-modal transportation system. Goals of the Mobility Element include creating walkable communities with pedestrian-friendly street, site and building design. The proposed project would be located within walking and biking distance to schools and parks, and open space.

The Urban Design Element of the General Plan is based on the guiding principles of building upon our existing communities, while the goals of the Conservation Element include preservation and management of the natural landforms and open spaces, as well as preservation

of sensitive biological resources. The proposed project, Planning Area 6 within the California Terraces Precise Plan, would build upon the existing community, and provide multi-family dwelling units in close proximity to schools, parks and open space. Of the approximately 665 acres with the California Terraces Precise Plan area, approximately 173 have been preserved as Open Space, with over 65 of those acres within a vernal pool preserve.

The Otay Mesa Community Plan's Community Environmental and Design Element objectives call for a healthful, safe environment that balances development with preservation of environmental elements and natural resources. It further states that projects should preserve unique natural elements, include aesthetic streetscape elements, and employ indigenous landscaping species with low water demand to reduce irrigation demands. The California Terraces Precise Plan's Design Element objectives for attached residential projects include giving consideration to prominent buildings, creating courtyards and open space areas, varying setbacks along roadways, and not accessing garages from major and collector streets.

The proposed project would meet the design objectives of the General Plan, the Otay Mesa Community Plan and the California Terraces Precise Plan by creating a visual landscape buffer between the street and the residential land use, and by providing an interface between parkways and major use areas via a curvilinear streetscape. The proposed project would encourage pedestrian and bicycle movement throughout the site with safe and convenient parkway paths throughout the development that connect to public sidewalks. Further guidelines that the project would implement include direct garage access from inside the project rather than curb cuts to the public street, and screened off-street parking from public streets through the placement of the proposed buildings. The proposed project would also eliminate the need for visually obtrusive sound walls at the southwestern corner of the site by elevating the pad, locate buildings to create courtyards and open spaces that are well defined, utilize drought-tolerant plant species, and provides three common recreational areas for the project that offer numerous amenities for the future residents.

The project would be consistent with the Public Facilities Elements of the General Plan, the Otay Mesa Community Plan and California Terraces Precise Plan through the payment of its fair share of development impact fees to contribute to the parks, library facilities and future demand on Police/Fire services.

The project proposes several deviations from the Land Development Code, many of which could affect the implementation of the California Terraces Precise Plan and the Otay Mesa Community Plan. The applicant is requesting a deviation from the required RM-3-7 height. This increase in height is necessary to accommodate the density envisioned by the California Terraces Precise Plan and to allow the applicant to provide as many units as practical and feasible on this site. The height deviation would allow more units to be built on the site than if the 40-foot height limit were strictly applied. Further, to meet the height and density regulations of the RM-3-7 zone the units would have to be smaller. In association with the Otay Mesa Community Plan Update, a survey was conducted by SourcePoint in both single family units and multi-family units in the Otay Mesa and Otay Ranch area to determine household sizes. The survey results

established that the multi-family units in the Otay region had an average of 3.45 persons per household. Given this population per multi-family household, the provision of smaller units in order to try and reduce the overall building height would not address the housing needs of the area and would be a less desirable project. The project proposes a mix of one, two, three, and four bedroom units based on the demonstrated demand for larger units in this portion of San Diego. By providing a variety of unit types, the applicant would help to make Otay Mesa a more balanced community which is consistent with the Housing Element, and provide affordable (in nature) dwelling units at a time when the City Council has determined that the City of San Diego is in a Housing State of Emergency.

The applicant is also requesting side yard setback deviations in order to accommodate the density envisioned by the California Terraces Precise Plan and the Otay Mesa Community Plan. These deviations will allow for more units to be built on the site than if the standard 10% of the lot width side and street side yard regulations were strictly applied, at a time when the City Council has determined that the City of San Diego is in a Housing State of Emergency. In addition, there are no other projects in the area that provide 67-foot or similar side yard setbacks. Doing so would create large areas of undeveloped land along the street sides of the project as well as along the internal private drives that would not be consistent with the development pattern of Ocean View Hills.

Community Planning Group Recommendations:

On August 16, 2006, the Otay Mesa Planning Group voted 14-2-0 to support the project with the following addressed: 1) consider noise attenuation for the residents; 2) analyze traffic calming measures on Ocean View Hills Parkway and 3) examine the inclusion of bus transit in the community (Attachment 14).

1) Consider noise attenuation for the residents.

The original VTM required noise walls ranging from three to ten feet in height to attenuate noise levels to within City noise standards. A noise review of the proposed project was prepared by RECON Environmental. The study found that the site plan and architectural plans for the proposed project have been revised and the usable outdoor areas are now located in the center of the project site. This revised site design would shield these usable outdoor areas from roadway noise by the multi-family buildings themselves. As such, the need to provide noise barriers along these adjacent roadways identified in the previous FEIR would not be required under the new VTM for the Playa del Sol development.

An interior acoustical study would be required for the proposed project prior to the issuance of building permits to ensure that the interior noise levels would meet the 45 CNEL noise level standards. The interior study would be based on the detailed architectural plans for the multifamily units along Del Sol Boulevard, Ocean View Hills Parkway, Street A, and SR-905. No other noise measures would be required.

2. Analyze traffic calming measures on Ocean View Hills Parkway.

Per the California Terraces Precise Plan, Ocean View Hills Parkway is designated as a 6-lane major street; therefore it would not be appropriate to implement traffic-calming measures. The flow of traffic through the area would be greatly impacted since it has been designed to move traffic through at a certain speed. This suggestion was made by existing residents because they were concerned about increased traffic as a result of this project.

3. Examine the inclusion of bus transit in the community.

The Metropolitan Transit Development Board (MTDB) is responsible for bus service and they currently have no plans to add a bus route along Ocean View Hills Parkway. Therefore, the applicant cannot construct a bus stop; however, the proposed project has provided adequate space for MTDB to construct a bus stop in the future if they decide to do so.

Environmental Analysis:

Transportation/Traffic Circulation

An updated traffic analysis was prepared in March, 2008 to evaluate the possible traffic impacts from development of the Playa del Sol project. The traffic analysis determined that for both near-term and horizon year 2030 conditions, the project is expected to result in no additional significant traffic impacts other than those previously identified in the FEIR for the original VTM. In accordance with the mitigation measures contained in the California Terraces FEIR, the proposed project would build Street A as a four-lane major street. Additionally, a right-in-out-only access to Otay Mesa Road would be provided at the Street A/Otay Mesa Boulevard intersection. When Street A is completed as four-lane major roadway, the proposed project would signalize the two project driveways on Street A to accommodate left turns in and out of the projects. The Del Sol Boulevard driveway will be signalized when warranted, which is anticipated to occur with the completion of Del Sol Boulevard to the west of the project site.

The California Terraces Precise Plan FEIR also identified impacts and mitigation for freeways I-805 and State Route 905 (SR-905) that would include the addition of high-occupancy vehicle (HOV) lanes. In accordance with the mitigation outlined in the California Terraces FEIR, the proposed project would provide a fair share contribution towards the future SR-905 HOV lanes.

Although the project would not result in significant impacts at the westbound on-ramp to the SR-905/Caliente Avenue, the project applicant would provide a fair share contribution to construct an additional southbound lane at the future SR-905/Caliente Avenue westbound on ramp as a design enhancement to facilitate queuing.

Water Quality

Although the Playa del Sol project represents one of the final planning areas within the California Terraces Precise Plan to be developed, the proposed project represents a new tentative subdivision map with more than 500 dwelling units. As such, a Water Supply Assessment (WSA) pursuant to SB 610 and Water Supply Verification (WSV) pursuant to SB 221 are required of the proposed project. To meet these requirements, the City Water Department prepared a Water Supply Assessment and Verification Report (WSAVR) in April 2008 that identifies existing and planned water supply entitlements, water rights, water service contracts, and agreements relevant to the water supply for the City Water Department's service area, including the proposed project. The WSAVR concluded that water supplies necessary to serve existing demand and future demands within the Water Department's service area including the proposed project, as well as the actions necessary to develop these supplies, have been identified and verified. Therefore, impacts to water supply from the proposed Playa del Sol project would be less than significant.

Conclusion:

Staff recommends that the Planning Commission recommend to City Council approval of the project as proposed because it is consistent with the goals and objective of the Otay Mesa Community Plan and the California Terraces Precise Plan

ALTERNATIVES:

- 1. Recommend approval by the City Council of Vesting Tentative Map (VTM) No. 551809; Easement Vacation No. 580203; and Planned Development Permit (PDP) No. 8075, with modifications.
- 2. Recommend denial by the City Council of Vesting Tentative Map (VTM) No. 551809; Easement Vacation No. 580203; and Planned Development Permit (PDP) No. 8075, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Mike Westlake Program Manager

Development Services Department

Patricia Grabski, A

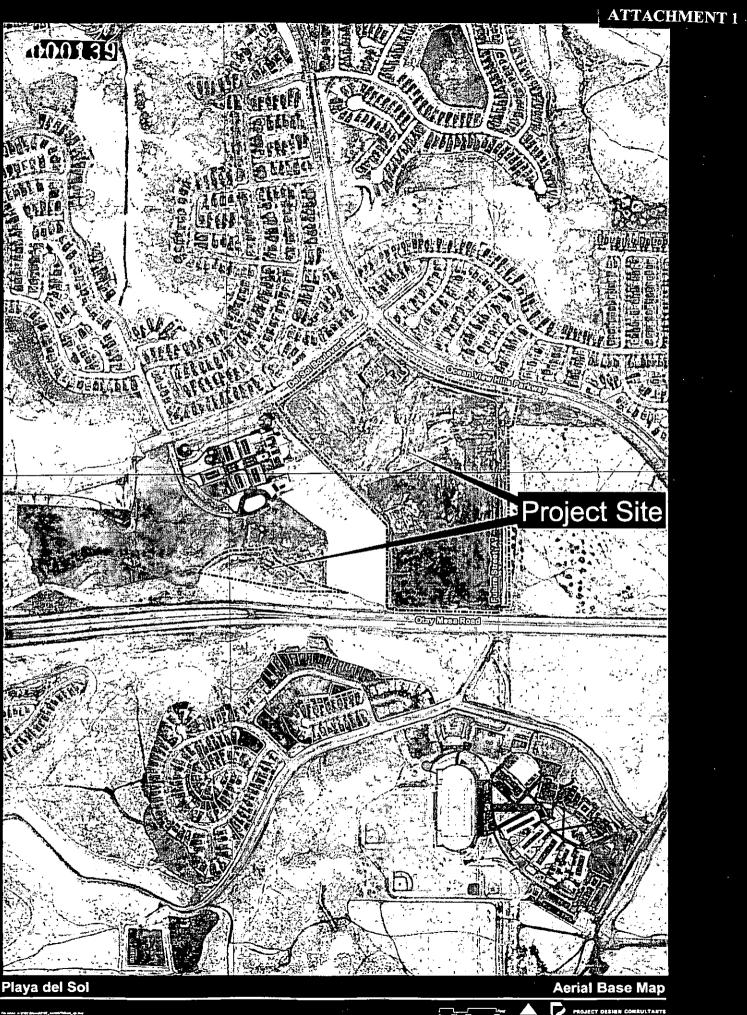
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Development Services Department

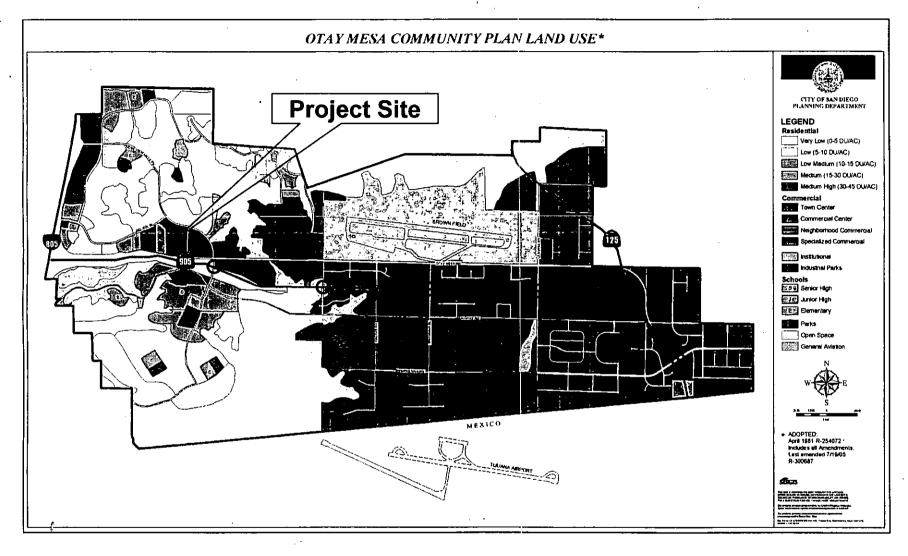
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Attachments:

- 2. Community Plan Land Use Map
- 3. California Terraces Precise Plan Land Use Map
- 4. Location Map
- 5. Site Plan
- 6. Elevations
- 7. Vesting Tentative Map
- 8. Building Height Deviations
- 9. Setback Deviations
- 10. Draft Map Conditions and Subdivision Resolution
- 11. Draft Permit with Conditions
- 12. Draft City Council Resolution with Findings
- 13. Draft Planning Commission Resolution with Findings
- 14. Community Planning Group Recommendation
- 15. Ownership Disclosure Statement
- 16. Miscellaneous Plans
- 17. Project Data Sheet



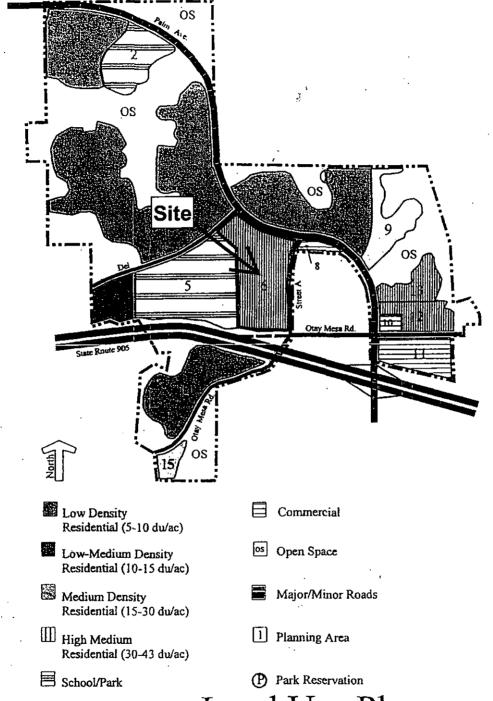






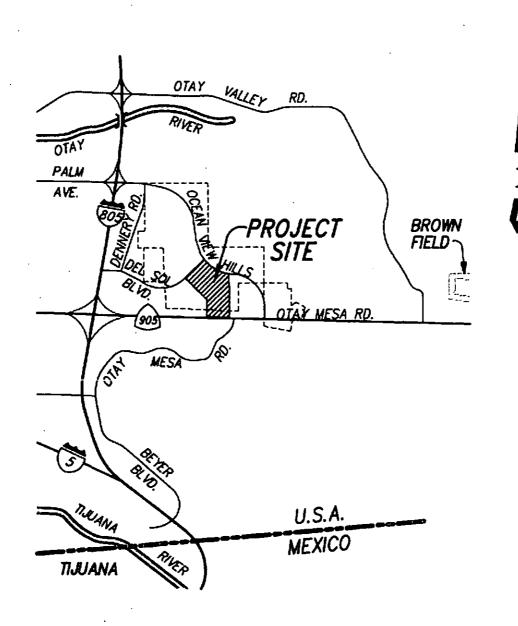
PLAYA DEL SOL – PROJECT NUMBER 4925





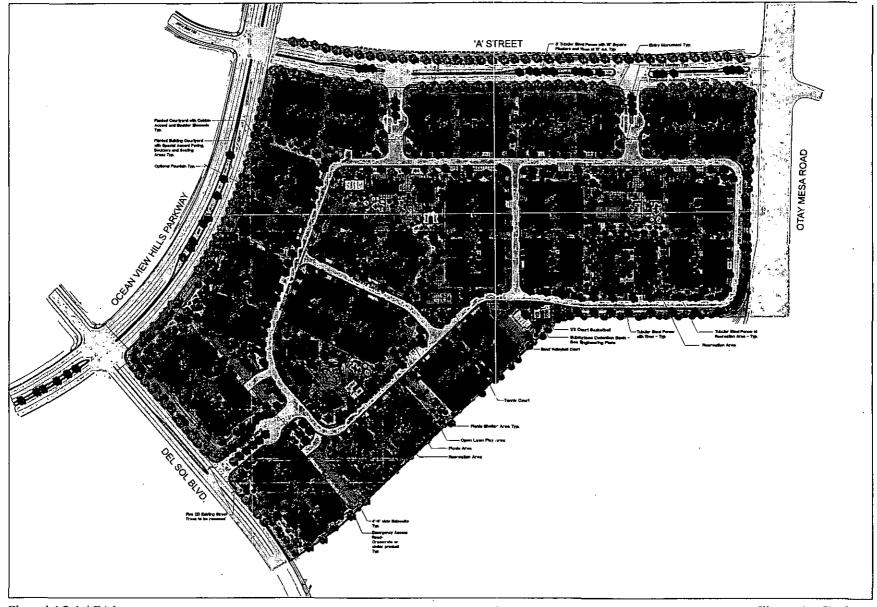
Land Use Plan

California Terraces Precise Plan Land Use Map



PROJECT LOCATION MAP

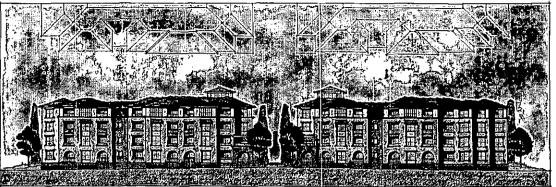
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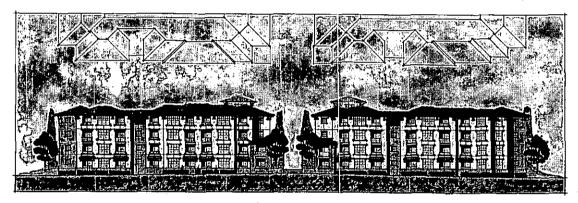
Playa del Sol / PA6
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Illustrative Site Plan

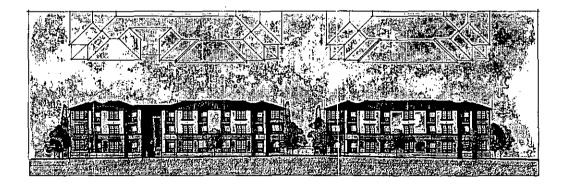




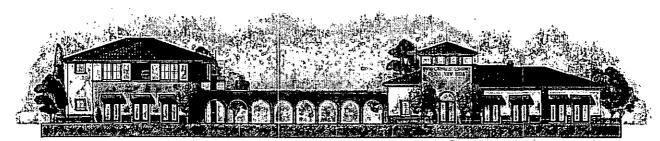
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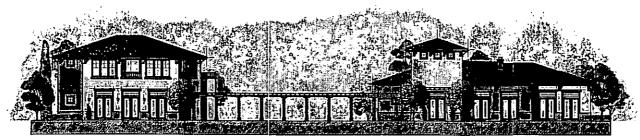
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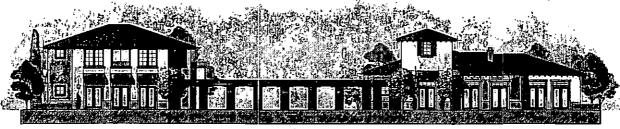
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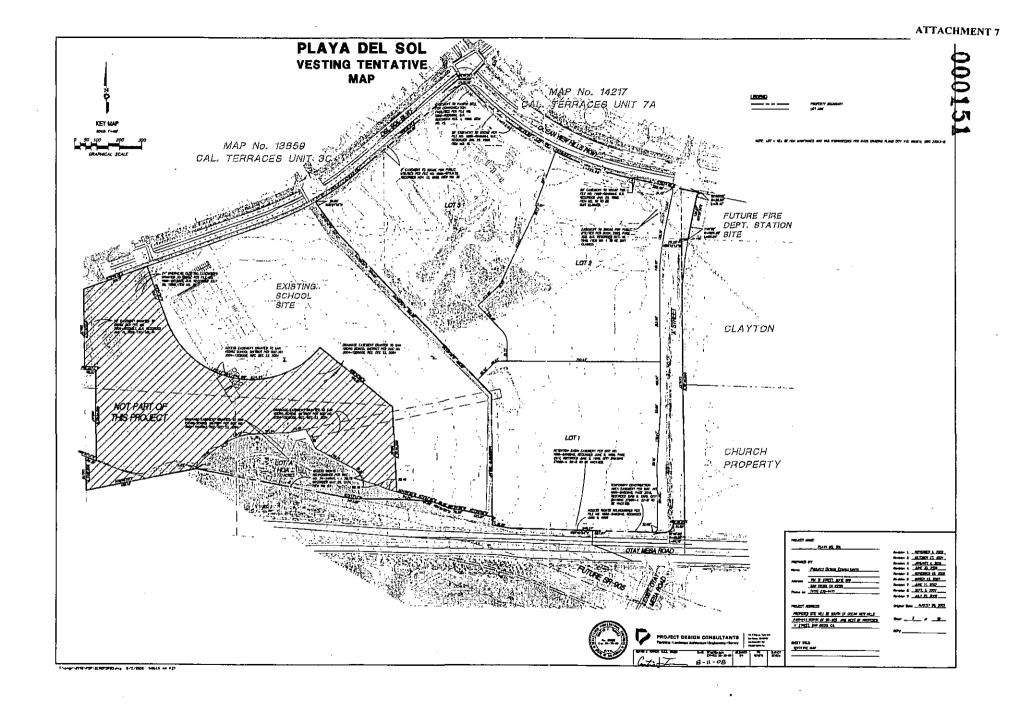
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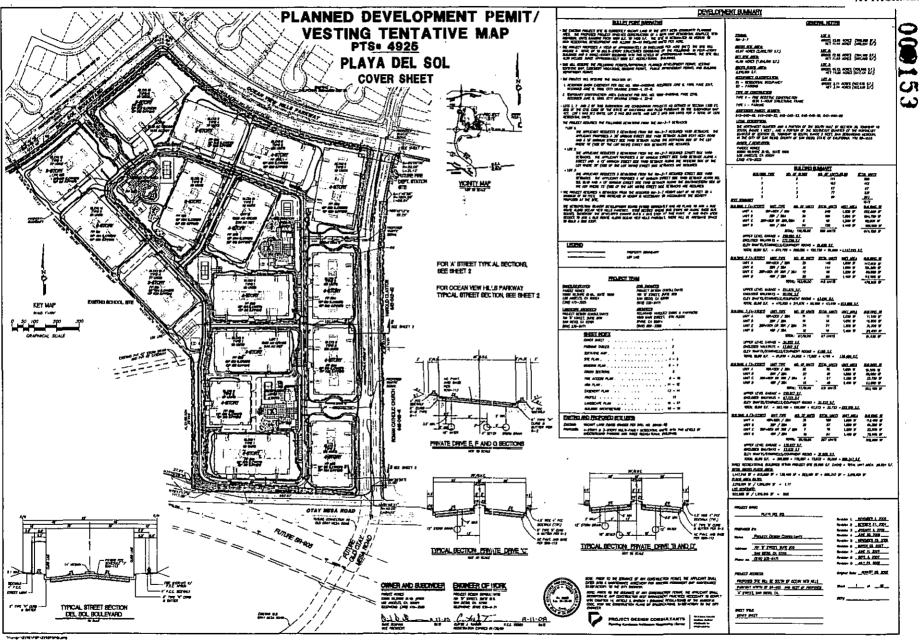


Front Elevation Style B

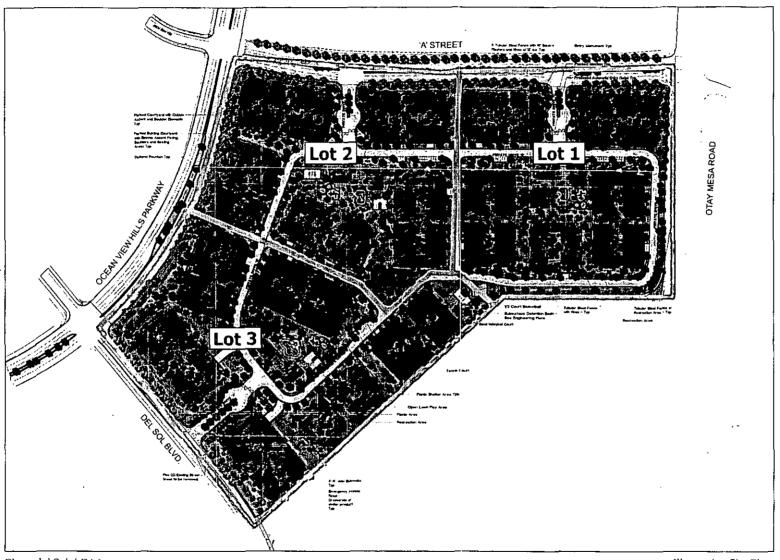


Front Elevation Style C





SETBACK DEVIATIONS



Playa del Sol / PA6

Illustrative Site Plan



CITY COUNCIL RESOLUTION NO. XXX VESTING TENTATIVE MAP (VTM) NO. 551809 PLAYA DEL SOL - PROJECT NO. 4925

WHEREAS, PARDEE HOMES, Applicant/Subdivider and Project Design Consultants, Engineer, submitted an application with the City of San Diego for Vesting Tentative Map No. 551809, for the subdivision of a 45.97 acre site into four (4) parcels for residential condominium development. The project site is located south of Ocean View Hills Parkway, north of State Route 905, and west of A Street in the RM-3-7 zone in the California Terraces Precise Plan (Planning Area 6) area and within the Otay Mesa Community Plan area. The project site is legally described as the Northwest Quarter and a portion of the South Half of Section 30, Township 18 South, Range 1 West, and a portion of the Southeast Quarter of the Northeast Quarter of Section 25, Township 18 South, Range 2 West, San Bernardino Meridian, in the City of San Diego, County of San Diego, State of California; and

WHEREAS, the Map proposes the subdivision of a 49.97 acre site into four (4) lots for a residential condominium development (three residential lots and one Home Owner's . Association (HOA) lot); and

WHEREAS, an Addendum to Environmental Impact Report (EIR) 86-1032 (Cal Terraces) has been prepared in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, the project complies with the requirements of a preliminary soils and/or geological reconnaissance report pursuant to the Subdivision Map Act and Section 144.0220 of the Municipal Code of the City of San Diego; and

WHEREAS, the subdivision is a residential condominium project as defined in Section 1350 et seq. of the Civil Code of the State of California and filed pursuant to the Subdivision Map Act. Lot 1 has 513 units, Lot 2 has 565 units and Lot 3 has 500 units for a total of 1,578 residential units; and

WHEREAS, on	, the Planning	Commission of	the City of Sa	ın Diego
considered Vesting Tentative	Map No. 551809,	and pursuant to F	Resolution No. 2	XXX-PC
voted to recommend City Cour	ncil approval of th	ne map; and		
WHEREAS, on	, the City Coun	cil of the City of	San Diego co	nsidered
Vesting Tentative Map No. 55	51809, and pursua	ant to Sections 12	5.0440 and 125	.0430 of
the Municipal Code of the Ci	ty of San Diego	and Subdivision N	Map Act Section	n 66428,
received for its consideration	n written and or	al presentations,	evidence havi	ng been
submitted, and heard testimon	y from all interes	sted parties at the	public hearing,	, and the
City Council of the City of Sa	n Diego having fi	ully considered the	e matter and be	ing fully

Project No. 4925 VTM No. 551809 APROVAL DATE

advised concerning the same;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of San Diego, that it adopts the following findings with respect to Tentative Map No. 551809:

- 1. The proposed subdivision and its design or improvement are consistent with the policies, goals, and objectives of the applicable land use plan (Land Development Code Section 125.0440.a and State Map Action Sections 66473.5, 66474(a), and 66474(b)).
- 2. The proposed subdivision complies with the applicable zoning and development regulations of the Land Development Code (Land Development Code Section 125.0440.b).
- 3. The site is physically suitable for the type and density of development (Land Development Code Section 125.0440.c and State Map Act Sections 66474(c) and 66474(d)).
- 4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat (Land Development Code Section 125.0440.d and State Map Act Section 66474(e)).
- 5. The design of the subdivision or the type of improvements will not be detrimental to the public health, safety, and welfare (Land Development Code Section 125.0440.e and State Map Act Section 66474(f)).
- 6. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision (Land Development Code Section 125.0440:f-and State Map Act Section 66474(g)).
- 7. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Land Development Code Section 125.0440.g and State Map Act Section 66473.1).
- 8. The decision maker has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (Land Development Code Section 125.0440.h and State Map Act Section 66412.3).
- 9. That said Findings are supported by the minutes, maps, and exhibits, all of which are herein incorporated by reference.
- 10. The property contains public service and street easements which must be vacated to implement the final map in accordance with San Diego Municipal Code section 125.0430.

BE IT FURTHER RESOLVED that pursuant to California Government Code section 66434(g), retention basin easement granted per document No. 1999- 0400948, recorded June 9, 1999, page 2517, City Drawing 27980-4, 22-D and temporary construction area easement granted per document No. 1999- 0400948, page 2518, recorded June 9, 1999, City Drawing 27980-4, 22-D), located within the project boundaries as shown in Vesting Tentative Map No. 551809T, shall be vacated, contingent upon the recordation of the approved Map for the project.

BE IT FURTHER RESOLVED that based on the Findings hereinbefore adopted by the City Council, Vesting Tentative Map No. 551809 is hereby granted to PARDEE HOMES, Applicant/Subdivider subject to the following conditions:

GENERAL

- This Vesting Tentative Map will expire [XXX 3 YEARS FROM DECISION DATE].
- Compliance with all of the following conditions shall be assured, to the satisfaction of the City Engineer, prior to the recordation of the Final Map unless otherwise noted.
- 3. Prior to the Vesting Tentative Map expiration date, a Final Map shall be recorded in the Office of the County Recorder.
- 4. Prior to the issuance of the Final Map taxes must be paid on this property pursuant to section 66492 of the Subdivision Map Act. A tax certificate, recorded in the office of the County Recorder, must be provided to satisfy this condition
- 5. The Final Map shall conform to the provisions of Planned Development Permit No. 8075.
- 6. The applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, including, but not limited to, any to any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify applicant of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a

disagreement between the City and applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the applicant shall not be required to pay or perform any settlement unless such settlement is approved by applicant

ENGINEERING

- 7. This Tentative Map is a Vesting Tentative Map, as such; the applicant/subdivider shall pay an additional \$300 fee to the Development Services Department for each Final Map processed in connection with the Vesting Tentative Map.
- 8. Pursuant to City Council Policy 600-20, the subdivider shall provide evidence to ensure that an affirmative marketing program is established.
- 9. The Subdivider shall underground any new service run to any new or proposed structures within the subdivision.
- 10. The subdivider shall ensure that all existing onsite utilities serving the subdivision shall be undergrounded with the appropriate permits. The subdivider shall provide written confirmation from applicable utilities that the conversion has taken place, or provide other means to assure the undergrounding, satisfactory to the City Engineer.
- 11. Conformance with the "General Conditions for Tentative Subdivision Maps," filed in the Office of the City Clerk under Document No. 767688 on May 7, 1980, is required. Only those exceptions to the General Conditions which are shown on the tentative map and covered in these special conditions will be authorized.
 - All public improvements and incidental facilities shall be designed in accordance with criteria established in the Street Design Manual, filed with the City Clerk as Document No. RR-297376.
- 12. The subdivider shall grant a storm water storage easement over the underground detention basin, located in Lot 1.
- 13. The subdivider shall construct curb ramps at all new street intersections.
- 14. The subdivider shall provide Mutual Access Easements as required.
- 15. No new grading permits will be issued until drawing 28458-D has been as-built.
- 16. Whenever street rights-of-way are required to be dedicated, it is the responsibility of the subdivider to provide the right-of-way free and clear of all encumbrances and prior easements. The subdivider must secure "subordination agreements" for

- minor distribution facilities and/or "joint-use agreements" for major transmission facilities.
- 17. This project proposes to export 70,000 cubic yards of material from the project site. All export material shall be discharged into a legal disposal site. The approval of this project does not allow the onsite processing and sale of the export material unless the underlying zone allows a construction and demolition debris recycling facility with an approved Neighborhood Use Permit or Conditional Use Permit per Land Development Code (LDC) Section 141.0620(i).
- 18. The drainage systems not located in a public street shall be private and subject to approval by the City Engineer.
- 19. The subdivider shall obtain a bonded grading permit for the grading proposed for this project. All grading shall conform to requirements in accordance with the City of San Diego Municipal Code in a manner satisfactory to the City Engineer
- 20. The subdivider shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance.
- 21. Prior to the issuance of any construction permit the subdivider shall incorporate and show the type and location of all post-construction Best Management Practices (BMP's) on the final construction drawings, in accordance with the approved Water Quality Technical Report.
- 22. Prior to the issuance of any construction permit, the subdivider shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.
- 23. Development of this project shall comply with all requirements of State Water Resources Control Board (SWRCB) Order No. 99-08 DWQ and the Municipal Storm Water Permit, Order No. 2001-01(NPDES General Permit No. CAS000002 and CAS0108758), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated With Construction Activity. In accordance with said permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be implemented concurrently with the commencement of grading activities, and a Notice of Intent (NOI) shall be filed with the SWRCB. A copy of the acknowledgment from the SWRCB that an NOI has been received for this project shall be filed with the City of San Diego when received; further, a copy of the completed NOI from the SWRCB showing the permit number for this project shall be filed with the City of San Diego when received. In addition, the owner(s) and subsequent owner(s) of any portion of the property covered by this grading permit and by SWRCB Order No. 99 08 DWQ, and any subsequent

amendments thereto, shall comply with special provisions as set forth in SWRCB Order No. 99 08 DWO.

MAPPING

- 24. "Basis of Bearings" means the source of uniform orientation of all measured bearings shown on the map. Unless otherwise approved, this source will be the California Coordinate System, Zone 6, North American Datum of 1983 (NAD 83).
- 25. "California Coordinate System means the coordinate system as defined in Section 8801 through 8819 of the California Public Resources Code. The specified zone for San Diego County is "Zone 6," and the official datum is the "North American Datum of 1983."

26. The Final Map shall:

- a. Use the California Coordinate System for its "Basis of Bearing" and express all measured and calculated bearing values in terms of said system. The angle of grid divergence from a true median (theta or mapping angle) and the north point of said map shall appear on each sheet thereof. Establishment of said Basis of Bearings may be by use of existing Horizontal Control stations or astronomic observations.
- b. Show two measured ties from the boundary of the map to existing Horizontal Control stations having California Coordinate values of Third Order accuracy or better. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e., grid bearings and grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of grid-to-ground distances shall be shown on the map.

WASTEWATER

- 27. All proposed onsite sewer facilities will be private.
- 28. The developer shall design and construct all proposed private sewer facilities serving more than one lot to the most current edition of the City of San Diego's Sewer Design Guide.
- 29. The developer shall design any proposed public sewer facilities to the most current edition of the City of San Diego's Sewer Design Guide.

WATER

- 30. The Subdivider shall design and construct public water facilities as identified in the accepted water studies for California Terraces/Ocean View Hills necessary to serve this development in a manner satisfactory to the Water Department Director and the City Engineer.
- 31. The Subdivider shall grant adequate water easements, including vehicular access to each appurtenance (meters, blow offs, valves, fire hydrants, etc.) for all public water facilities that are not located within fully improved public rights-of-way, satisfactory to the Water Department Director and the City Engineer.
- 32. The Subdivider shall provide Encroachment Removal and Maintenance Agreement (EMRA) for all public water facilities located within the proposed easement.
- 33. The Subdivider shall provide CC&Rs for the operation and maintenance of any on-site private water facilities that serve or traverse more than a single dwelling unit or common area.
- 34. The Subdivider shall provide keyed access to Water Operations Division, in a manner satisfactory to the Water Department Director, on each gate located within any easement containing public water facilities. The City will not be held responsible for any issues that may arise relative to the availability of keys.
- 35. The Subdivider shall install fire hydrants at locations satisfactory to the Fire Department, the Water Department Director, and the City Engineer.
- 36. The Subdivider agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Water facilities, as shown on the approved tentative map, shall be modified at final engineering to comply with standards.
- 37. Providing water for this development is dependent upon prior construction of certain water facilities in previously approved developments in this area. If facilities have not been constructed when required for this development, then the construction of certain portions of these previously identified water facilities, as required by the City Engineer, will become off-site improvements required for this development.

GEOLOGY

38. Prior to the issuance of a grading permit, a geotechnical report shall be submitted and approved by the City Engineer in accordance with the City of San Diego's Technical Guidelines for Geotechnical Reports."

TRANSPORTATION

- 39. The construction of the following transportation improvements must be assured by permit and bond prior to the issuance of the first Final Map, satisfactory to the City Engineer:
 - a. Del Sol Boulevard, which is classified as a modified 4-lane urban collector with a minimum design speed of 35 mph, with a minimum 72 foot curb-to-curb width within a 92 foot right-of-way, with a 14 foot raised center median along Del Sol Boulevard and curb, gutter, and minimum 5 foot wide non-contiguous sidewalk with a minimum 10 foot curb-to-property line distance along the project frontage.
 - b. Street "A", which is classified as a 4-lane urban major with a minimum design speed of 45 mph, between Ocean View Hills Parkway and Private Drive "B" with an 88 foot curb-to-curb width within a 108 foot right-of-way, with a 24 foot wide raised center median and curb, gutter, and minimum 5 foot wide non-contiguous sidewalk within a minimum 10 foot curb-to-property line distance.
 - c. Street "A", which is classified as a 4-lane urban major with a minimum design speed of 45 mph, between Private Drive "B" and Private Drive "C" with a 78 foot curb-to-curb width within a 98 foot right-of-way, with a 14 foot wide raised center median and curb, gutter, and minimum 5 foot wide non-contiguous sidewalk within a minimum 10 foot curb-to-property line distance.
 - d. Street "A", which is classified as a 4-lane urban major with a minimum design speed of 45 mph, between Private Drive "C" and Otay Mesa Road, with a 98 foot curb-to-curb width within a 118 foot right-of-way, with a 14 foot wide raised center median and curb, gutter, and minimum 5 foot wide non-contiguous sidewalk within a minimum 10 foot curb-to-property line distance.
- 40. The construction of the following traffic signals and appropriate interconnect must be assured by permit and bond prior to the issuance of the first Final Map, satisfactory to the City Engineer:
 - a. Del Sol Boulevard at Private Driveway "D" including a 150 foot westbound to southbound left-turn pocket
 - c. Ocean View Hills Parkway at Street "A" including a 150 foot dual northbound to westbound left-turn pocket

- c. Street "A" at Private Driveway "B" including a 300 foot northbound to westbound left-turn pocket
- d. Street "A" at Private Driveway "C" including a 200 foot northbound to westbound left-turn pocket

INFORMATION:

- The approval of this Vesting Tentative Map by the City Council of the City of San Diego does not authorize the subdivider to violate any Federal, State, or City laws, ordinances, regulations, or policies including but not limited to, the Federal Endangered Species Act of 1973 and any amendments thereto (16 USC Section 1531 et seq.).
- If the subdivider makes any request for new water and sewer facilities (including services, fire hydrants, and laterals), then the subdivider shall design and construct such facilities in accordance with established criteria in the most current editions of the City of San Diego water and sewer design guides and City regulations, standards and practices pertaining thereto. Off-site improvements may be required to provide adequate and acceptable levels of service and will be determined at final engineering.
- Subsequent applications related to this Vesting Tentative Map will be subject to fees and charges based on the rate and calculation method in effect at the time of payment.
- Any party, on whom fees, dedications, reservations, or other exactions have been
 imposed as conditions of approval of the Vesting Tentative Map, may protest the
 imposition within 90 days of the approval of this Tentative Map by filing a
 written protest with the City Clerk pursuant to California Government Code
 Section 66020.
- This development may be subject to payment of School Impact Fees at the time of issuance of building permits, as provided by Education Code Section 17620, in accordance with procedures established by the Director of Building Inspection.
- This development may be subject to impact fees, as established by the City Council, at the time of issuance of building permits.
- Where in the course of development of private property, public facilities are damaged or removed the property owner shall at no cost to the City obtain the required permits for work in the public right-of-way, and repair or replace the public facility to the satisfaction of the City Engineer. Municipal Code Section 142.0607.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SAN DIEGO, CALIFORNIA, ON HEARING XXX, 2008.

APPROVED: NAME, City Attorney

By

NAME

Deputy City Attorney

ATTY/SEC. INITIALS

DATE

R- INSERT

Reviewed by Patricia Grabski

Ву

Patricia Grabski, AICP Development Project Manager Development Services Department

Job Order No. 42-1005

RECORDING REQUESTED BY

CITY OF SAN DIEGO DEVELOPMENT SERVICES PERMIT INTAKE, MAIL STATION 501

PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

JOB ORDER NUMBER: 42-1005

PLANNED DEVELOPMENT PERMIT NO. 8075 PLAYA DEL SOL (MMRP) PTS 4925 CITY COUNCIL

This Planned Development Permit No. 8075 is granted by the City Council of the City of San Diego to Pardee Homes, Owner/Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0600. The 45.97 acre site is located at south of Ocean View Hills Parkway, north of State Route 905, and west of A Street in the RM-3-7 zone within the California Terraces Precise. Plan (Planning Area 6) and the Otay Mesa Community Plan area. The project site is legally described as the Northwest Quarter and a portion of the South Half of Section 30, Township 18 South, Range 1 West, and a portion of the Southeast Quarter of the Northeast Quarter of Section 25, Township 18 South, Range 2 West, San Bernardino Meridian, in the City of San Diego, County of San Diego, State of California.

Subject to the terms and conditions set forth in this Permit, permission is granted to Pardee Homes, Owner/Permittee to a construct 1,578-unit condominium project that consists of six, three-story buildings and ten four-story buildings with each building having two levels of underground parking, three approximately 9,608-square-foot recreational buildings, described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated [INSERT Approval Date], on file in the Development Services Department.

The project shall include:

- a. 1,578-unit condominium project consisting of six three-story buildings and ten fourstory buildings with each building having two levels of underground parking;
- b. Three approximately 9,608 square-foot recreational buildings;
- c. Deviations:

Height: The RM-3-7 height limit is 40-feet, 58 feet is approved.

Page 1 of 11

Setbacks:

Lot 1:

The RM-3-7 zone requires a street side yard setback of 76 feet (or 10 percent of the lot width) along Otay Mesa Road, 30 feet is approved.

The RM-3-7 zone requires a street side yard setback of 76 feet (or 10 percent of the lot width) along the northern side of the lot, 15 feet is approved.

Lot 2:

The RM-3-7 zone requires a street side yard setback of 76 feet (or 10 percent of the lot width) along Street "A", 20 feet approved.

The RM-3-7 zone requires a side yard setback of 76 feet (or 10 percent of the lot width) along the western side of the lot, 12 feet is approved.

Lot 3:

The RM-3-7 zone requires a street side yard setback of 75 feet (or 10 percent of the lot width) along Del Sol Boulevard, 40 feet is approved.

The RM-3-7 zone requires a side yard setback of 75 feet (or 10 percent of the lot width) along the southeastern side of the lot, 15 feet is approved.

- b. Landscaping (planting, irrigation and landscape related improvements);
- c. Off-street parking;
- d. Accessory improvements determined by the Development Services Department to be consistent with the land use and development standards in effect for this site per the adopted community plan, California Environmental Quality Act Guidelines, public and private improvement requirements of the City Engineer, the underlying zone(s), conditions of this Permit, and any other applicable regulations of the SDMC in effect for this site.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. Failure to utilize and maintain utilization of this permit as described in the SDMC will automatically void the permit unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker.

- 2. No permit for the construction, occupancy or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
- 3. Unless this Permit has been revoked by the City of San Diego the property included by reference within this Permit shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the Development Services Department.
- 4. This Permit is a covenant running with the subject property and shall be binding upon the Owner/Permittee and any successor or successors, and the interests of any successor shall be subject to each and every condition set out in this Permit and all referenced documents.
- 5. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
- 6. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
- In accordance with authorization granted to the City of San Diego from the United States 7. Fish and Wildlife Service [USFWS] pursuant to Section 10(a) of the ESA and by the California Department of Fish and Game [CDFG] pursuant to Fish and Game Code section 2835 as part of the Multiple Species Conservation Program [MSCP], the City of San Diego through the issuance of this Permit hereby confers upon Owner/Permittee the status of Third Party Beneficiary as provided for in Section 17 of the City of San Diego Implementing Agreement [IA], executed on July 16, 1997, and on file in the Office of the City Clerk as Document No. OO-18394. Third Party Beneficiary status is conferred upon Owner/Permittee by the City: (1) to grant Owner/Permittee the legal standing and legal right to utilize the take authorizations granted to the City pursuant to the MSCP within the context of those limitations imposed under this Permit and the IA, and (2) to assure Owner/Permittee that no existing mitigation obligation imposed by the City of San Diego pursuant to this Permit shall be altered in the future by the City of San Diego, USFWS, or CDFG, except in the limited circumstances described in Sections 9.6 and 9.7 of the IA. If mitigation lands are identified but not yet dedicated or preserved in perpetuity, maintenance and continued recognition of Third Party Beneficiary status by the City is contingent upon Owner/Permittee maintaining the biological values of any and all lands committed for mitigation pursuant to this Permit and of full satisfaction by Owner/Permittee of mitigation obligations required by this Permit, as described in accordance with Section 17.1D of the IA.

- 8. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial modifications to the building and site improvements to comply with applicable building, fire, mechanical and plumbing codes and State law requiring access for disabled people may be required.
- 9. Construction plans shall be in substantial conformity to Exhibit "A." No changes, modifications or alterations shall be made unless appropriate application(s) or amendment(s) to this Permit have been granted.
- 10. All of the conditions contained in this Permit have been considered and have been determined to be necessary in order to make the findings required for this Permit. It is the intent of the City that the holder of this Permit is required to comply with each and every condition in order to be afforded the special rights which the holder of the Permit is entitled as a result of obtaining this Permit.

In the event that any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

- 11. The applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify applicant of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the applicant shall not be required to pay or perform any settlement unless such settlement is approved by applicant.
- 12. This Permit may be developed in phases. Each phase shall be constructed prior to sale or lease to individual owners or tenants to ensure that all development is consistent with the conditions and exhibits approved for each respective phase per the approved Exhibit "A."

ENVIRONMENTAL/MITIGATION REQUIREMENTS:

- 13. Mitigation requirements are tied to the environmental document, specifically the Mitigation, Monitoring, and Reporting Program (MMRP). These MMRP conditions are incorporated into the permit by reference or authorization for the project
- 14. The mitigation measures specified in the Mitigation Monitoring and Reporting Program, and outlined in Addendum to Environmental Impact Report No. 86-1032, shall be noted on the construction plans and specifications under the heading ENVIRONMENTAL/MITIGATION REQUIREMENTS.
- 15. The Owner/Permittee shall comply with the Mitigation, Monitoring, and Reporting Program (MMRP) as specified in Addendum to Environmental Impact Report No. 86-1032, satisfactory to the Development Services Department and the City Engineer. Prior to issuance of the first grading permit, all conditions of the MMRP shall be adhered to the satisfaction of the City Engineer. All mitigation measures as specifically outlined in the MMRP shall be implemented for the following issue areas:

Transportation/Traffic Circulation; Noise; and Paleontological Resources.

16. Prior to issuance of any construction permit, the Owner/Permittee shall pay the Long Term Monitoring Fee in accordance with the Development Services Fee Schedule to cover the City's costs associated with implementation of permit compliance monitoring.

ENGINEERING REQUIREMENTS:

17. The Planned Development Permit shall comply with the conditions of the Final Map for Playa del Sol and Vesting Tentative Map No. 551809.

LANDSCAPE REQUIREMENTS:

- 18. No change, modification or alteration shall be made to the project unless appropriate application or amendment of this Permit shall have been granted by the City.
- 19. Prior to issuance of any Certificate of Occupancy, it shall be the responsibility of the Permittee/Owner or subsequent Owner(s) to install all required landscape and obtain all required landscape inspections. A No Fee Street Tree Permit, if applicable, shall be obtained for the installation, establishment and on-going maintenance of all street trees.
- 20. Prior to issuance of any construction permits for structures (including shell), complete landscape and irrigation construction documents consistent with the Landscape Standards (including planting and irrigation plans, details and specifications) shall be submitted to the City Manager for approval. The construction documents shall be in substantial conformance with Exhibit "A", Landscape Development Plan, on file in the Office of Development Services.

- 21. Prior to issuance of any construction permit for parking structures, the Permittee/Owner or subsequent Owner(s) shall submit on the planting and irrigation plans a signed statement by a Registered Structural Engineer indicating that supporting structures are designed to accommodate the necessary structural loads and associated planting and irrigation.
- 22. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit. The trees shall be maintained in a safe manner to allow each tree to grow to its mature height and spread.
- 23. Prior to issuance of any engineering permits for right-of-way improvements, complete landscape construction documents for right-of-way and median (if applicable) improvements shall be submitted to the City Manager for approval. Improvement plans shall take into account a 40-square feet area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.
- 24. Prior to any grading (building permit) the Permittee/Owner or subsequent Owner(s) shall enter into a Landscape Maintenance Agreement for all landscape improvements. The Landscape Maintenance Agreement shall be approved by the Landscape Section of Development Services and the City Manager.
- 25. The Permittee/Owner or subsequent Owner(s) shall be responsible for the installation and maintenance of all landscape improvements consistent with the Landscape Regulation and Landscape Standards. Invasive species are prohibited from being planted adjacent to any canyon, water course, wetland or native habitats within the city limits of San Diego. Invasive plants are those which rapidly self propagate by air born seeds or trailing as noted in section 1.3 of the Landscape Standards.

PLANNING/DESIGN REQUIREMENTS:

- 26. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee or subsequent Owner(s).
- 27. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.
- 28. The Owner/Permittee or subsequent Owner(s) shall post a copy of the approved discretionary permit or Vesting Tentative Map in the sales office for consideration by each prospective buyer.
- 29. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

TRANSPORTATION REQUIREMENTS

- 30. On Lot 1 the Municipal/Land Development Code requires no fewer than 1,067 automobile, 26 accessible parking spaces (of which four (4) must be van accessible parking spaces), 272 bicycle parking spaces, and 51 motorcycle parking spaces. Pursuant to the Project's Exhibit "A", Subdivider currently proposes to exceed the Municipal/Land Development Code requirement with 1,119 off-street automobile parking spaces, including 36 accessible parking spaces (of which six (6) are van accessible parking spaces), 300 bicycle parking spaces with racks, and 54 motorcycle parking spaces. Subdivider has the right to reduce the number of spaces below the amount shown on Exhibit "A", subject to the satisfaction of the Development Services Department as to space configuration, but at all times Project shall comply with the minimum requirements of the Municipal/Land Development Code.
- 31. On Lot 2 the Municipal/Land Development Code requires no fewer than 1,169 automobile, 27 accessible parking spaces (of which four (4) must be van accessible parking spaces), 298 bicycle parking spaces, and 56 motorcycle parking spaces. Pursuant to the Project's Exhibit "A", Subdivider currently proposes to exceed the Municipal/Land Development Code requirement with 1,230 off-street automobile parking spaces, including 38 accessible parking spaces (of which 6 are van accessible parking spaces), 310 bicycle parking spaces with racks, and 58 motorcycle parking spaces. Subdivider has the right to reduce the number of spaces below the amount shown on Exhibit "A", subject to the satisfaction of the Development Services Department as to space configuration, but at all times Project shall comply with the minimum requirements of the Municipal/Land Development Code.
- 32. The Municipal/Land Development Code requires no fewer than 1,047 automobile, 26 accessible parking spaces (of which four (4) must be van accessible parking spaces), 266 bicycle parking spaces, and 50 motorcycle parking spaces. Pursuant to the Project's Exhibit "A", Subdivider currently proposes to exceed the Municipal/Land Development Code requirement with 1,158 off-street automobile parking spaces, including 40 accessible parking spaces (of which 7 are van accessible parking spaces), 370 bicycle parking spaces with racks, and 53 motorcycle parking spaces. Subdivider has the right to reduce the number of spaces below the amount shown on Exhibit "A", subject to the satisfaction of the Development Services Department as to space configuration, but at all times Project shall comply with the minimum requirements of the Municipal/Land Development Code.
- 33. Prior to the issuance of the first building permit in each of Lots 1, 2, and 3, a Mutual Access Agreement shall be recorded among all parcels, satisfactory to the City Engineer.
- 34. Prior to the issuance of the building permit, the applicant shall provide a fair-share contribution of 8.7 percent of the cost to construct an additional southbound lane at the future SR-905/Caliente Avenue WB on-ramp (Year 2008 estimated cost of \$24,000) to be provided if the required improvement is not fully funded. This fair-share contribution shall be placed in a separate interest bearing account and shall be transferred to Caltrans at the time of need, satisfactory to the City Engineer.
- 35. Prior to the issuance of the building permit for the 983rd residential unit, the applicant shall provide a fair-share contribution of 3.0 percent of the cost to construct one High Occupancy Lane (HOV) in each direction, on future SR-905 between Heritage Road and Interstate 805 (Year 2008)

(HOV) in each direction, on future SR-905 between Heritage Road and Interstate 805 (Year 2008 estimated cost of \$270,000) to be provided if the required improvement is not fully funded. This fair-share contribution shall be placed in a separate interest bearing account and shall be transferred to Caltrans at the time of need, satisfactory to the City Engineer.

36. Prior to the issuance of the building permit for the 983rd residential unit, the construction of the traffic signal and appropriate interconnect at Otay Mesa Road and Street "A" shall be assured by permit and bond, satisfactory to the City Engineer. This signal shall be constructed after Otay Mesa Road is transferred back to the City of San Diego. In the interim, Street "A" should be restricted to right in/right out at Otay Mesa Road.

WASTEWATER REQUIREMENTS:

- 37. All proposed onsite sewer facilities will be private.
- 38. Prior to the issuance of any building permit, the Permittee Owner/Permittee or subsequent Owner(s) shall assure, by permit and bond, the design and construction of all sewer facilities necessary to serve this development.
- 39. Prior to the issuance of any building or engineering permits, the Permittee/Owner or subsequent Owner(s) shall provide, satisfactory to the Metropolitan Wastewater Department Director, CC&Rs for the operation and maintenance of private sewer facilities that serve more than one ownership.
- 40. Prior to the applicant obtaining an Encroachment Maintenance and Removal Agreement, no private sewer facilities shall be in or over any public right-of-way.
- 41. Proposed private underground sewer facilities located within a single lot shall be designed to meet the requirements of the California Uniform Plumbing Code and shall be reviewed as part of the building permit plan check.
- 42. The Owner/Permittee or subsequent Owner(s) shall design all proposed public sewer facilities to the most current edition of the City of San Diego's Sewer Design Guide.

WATER REQUIREMENTS:

- 43. Prior to the issuance of the first building permit, the Owner/Permittee or subsequent Owner(s) shall assure, by permit and bond, the design and construction of public water facilities as identified in the accepted water studies for California Terraces/Ocean View Hills necessary to serve this development, in a manner satisfactory to the Water Department Director and the City Engineer.
- 44. Prior to the issuance of any building permits, the Owner/Permittee or subsequent Owner(s) shall assure, by permit and bond, the design and construction of new irrigation water service(s) in a manner satisfactory to the Water Department Director and the City Engineer. All private onsite irrigation systems shall be designed to utilize reclaimed water. The system shall be designed

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to allow the conversion from potable to reclaimed water service and avoid any cross connections between the two systems.

- 45. Prior to the issuance of any building permits, the Owner/Permittee or subsequent Owner(s) shall grant adequate water easements over all public water facilities that are not located within fully improved public rights-of-way, satisfactory to the Water Department Director and the City Engineer. Easements, as shown on approved Exhibit "A", will require modification based on standards at final engineering.
- 46. Prior to the issuance of any building permits, the Owner/Permittee or subsequent Owner(s) shall provide Encroachment Removal and Maintenance Agreement (EMRA) for all public water facilities located within the proposed easement.
- 47. Prior to the issuance of any building permits, the Owner/Permittee or subsequent Owner(s) shall apply for a plumbing permit for the installation of appropriate private back flow prevention device(s) on each water service (domestic, fire, and irrigation), in a manner satisfactory to the Water Department Director, the City Engineer, and the Cross Connection Supervisor in the Customer Support Division of the Water Department.
- 48. Prior to the issuance of any building permits, the Owner/Permittee or subsequent Owner(s) shall provide CC&Rs for the operation and maintenance of any on-site private water facilities that serve or traverse more than a single dwelling unit or common area.
- 49. Prior to the issuance of any certificates of occupancy, the Owner/Permittee or subsequent Owner(s) shall provide keyed access to Water Operations Division, in a manner satisfactory to the Water Department Director, on each gate located within any easement containing public water facilities. The City will not be held responsible for any issues that may arise relative to the availability of keys.
- 50. Prior to the issuance of any certificates of occupancy, the Owner/Permittee or subsequent Owner(s) shall install fire hydrants at locations satisfactory to the Fire Department, the Water Department Director, and the City Engineer.
- 51. Prior to the issuance of any certificates of occupancy, public water facilities necessary to serve the development, including services, shall be complete and operational in a manner satisfactory to the Water Department Director and the City Engineer.
- 52. The Owner/Permittee or subsequent Owner(s) agrees to design and construct all proposed public water facilities in accordance with established criteria in the most current edition of the City of San Diego Water Facility Design Guidelines and City regulations, standards and practices pertaining thereto. Public water facilities shall be modified at final engineering to comply with standards.
- 53. Providing water for this development is dependent upon prior construction of certain water facilities in previously approved developments in this area. If facilities have not been constructed when required for this development, then the construction of certain portions of these

previously identified water facilities, as required by the City Engineer, will become off-site improvements required for this development.

INFORMATION ONLY:

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this development permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code §66020.
- This development may be subject to impact fees at the time of construction permit issuance

APPROVED by the City Council of the City of San Diego on[date and resolution number].

	Permit Type/PTS Approval No.: PDP No. 8075
•	Date of Approval:
	-
AUTHENTICATED BY THE DEVELO	DPMENT SERVICES DEPARTMENT
NAME	
TITLE	
NOTE: Notary acknowledgment	
must be attached per Civil Code section 1180 et seq.	
section 1100 et seq.	
The undersianed Owner/Barmittee by	v avagution homeof agrees to each and avanuacidition of
	y execution hereof, agrees to each and every condition of h and every obligation of Owner/Permittee hereunder.
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•	(NIABME OF COMPANIA)
	[NAME OF COMPANY] Owner/Permittee
	D.:
•	By
	TITLE
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	[NAME OF COMPANY]
	Owner/Permittee
	By
	NAME
	TITLE

NOTE: Notary acknowledgments must be attached per Civil Code section 1180 et seq.

Resolution for Approving/Denying Permits

(R-INSERT)

RESOLUTION NUMBER R-NUMBER

ADOPTED ON DATE

WHEREAS, PARDEE HOMES, Owner/Permittee, filed an application with the City of San Diego for a Planned Development Permit (PDP) No. 8075 to construct a 1,578-unit condominium project consisting of six, three-story buildings and ten four-story buildings with each building having two levels of underground parking, and three 9,600-square-foot recreational buildings known as the Playa del Sol project. The project is located south of Ocean View Hills Parkway, north of State Route 905, and west of A Street, and is legally described as the Northwest Quarter and a portion of the South Half of Section 30, Township 18 South, Range 1 West, and a portion of the Southeast Quarter of the Northeast Quarter of Section 25, Township 18 South, Range 2 West, San Bernardino Meridian, in the City of San Diego, County of San Diego, State of California. The project is in the RM-3-7 and RS-1-14 zones within the California Terraces Precise Plan (Planning Area 6) and the Otay Mesa Community Plan area; and

WHEREAS, on November 13, 2008, the Planning Commission of the City of San Diego considered Planned Development Permit No. 8075, and pursuant to Resolution No. INSERT PLANNING COMM. RESOLUTION NUMBER-PC voted to recommend City Council approval of the permit; and

WHEREAS, the matter was set for public hearing on DATE, testimony having been heard, evidence having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it adopts the following findings with respect to PDP No. 8075:

Site Development Permit - Section 126.0504

A. Findings for all Site Development Permits

1. The proposed development will not adversely affect the applicable land use plan;

The project site consists of approximately 45.97 acres of vacant land within the Otay Mesa community planning area and the California Terraces Precise Plan. In 1994, the City Council adopted the California Terraces Precise Plan designating the site for medium-high density residential (30-43 dwelling units per acre [du/ac]).

The proposed project requests approval of a 1,578-unit condominium project that consists of six three-story buildings with two levels of underground parking, ten four-story buildings with two levels of underground parking, three 9,600 square-foot recreational buildings, and associated open space.

The proposal complies with the density standards for the California Terraces Precise Plan and the underlying zone (RM-3-7). The High Medium Residential land use designation has a density range of 30-43 du/acre, and would allow for the development of 1,379-1,977 dwelling units on the approximately 45.97 acre site. The project is within the RM-3-7 zone (1 dwelling unit (du)/1,000 square feet (sf) of lot area) and Lot A (HOA lot to remain undeveloped) is within the RS-1-14 zone (1 du/5000 sf of lot area). The gross area is 45.97 acres and could be developed with up to 1,873 units (1,840 units for the RM-3-7 portion, and 33 units for the RS-1-14 portion). The net area is 41.69 acres, and would allow for between 1,251 to 1,793 units. As proposed, 1,578 units is below the maximum allowed under the RM-3-7 zone and is within the California Terraces Precise Plan land use designation of High Medium Residential (30-43 du/ac) at either 34 du/ac at the gross acreage, or 38 du/ac at the net acreage. The private drives have been excluded from the net acreage per Code Section 143.0410(b)(5) of the Planned Development Permit regulations.

The proposed project meets the Design Element of the California Terraces Precise Plan by creating a visual landscape buffer between the street and the residential land use, and by providing an interface between parkways and major use areas via a curvilinear streetscape. The proposed project encourages pedestrian and bicycle movement throughout the site with safe and convenient parkway paths throughout the development that connect to public sidewalks. Further guidelines that the project would implement include direct garage access from inside the project rather than curb cuts to the public street, and screened off-street parking from public streets through the placement of the proposed buildings. The proposed project also eliminates the need for visually obtrusive sound walls at the southwestern corner of the site by elevating the pad, locates buildings to create courtyards and open spaces that are well defined, utilizes drought-tolerant plant species, and provides three common recreational areas for the project that offer numerous amenities for the future residents.

The project is consistent with the Public Facilities Elements of the California Terraces Precise Plan through the payment of its fair share of development impact fees to contribute to the parks, library facilities and future demand on Police/Fire services.

All other development standards that apply to this zone will be satisfied with this development proposal (except building height and setbacks, as discussed below in the fifth finding). Therefore, the proposed development would not adversely affect the California Terraces Precise Plan, Otay Mesa Community Plan, or the City of San Diego General Plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare; and

The approvals prepared for this project include various conditions of approval relevant to achieving compliance with the regulations of the Municipal Code in effect for the project site; and that such conditions have been determined by the decision-maker as necessary to avoid adverse impacts upon the health, safety and welfare of the persons residing or working in the area. These conditions include standards that pertain to best management

practices, traffic circulation, engineering, utilities, noise, and landscaping. Therefore, based on the above, the project would not result in any significant health or safety risks to the surrounding area.

3. The proposed development will comply with the applicable regulations of the Land Development Code.

The proposed project complies with all applicable development guidelines of the RM-3-7 zone with the exception of several deviations addressed in the fifth finding.

4. The proposed development, when considered as a whole, will be beneficial to the community; and

The Playa del Sol project will promote the City's social equity goals by contributing to the creation and maintenance of a stable, economically and socially diverse community in Otay Mesa. The project will fairly distribute the costs and benefits of development and will improve the overall appearance of the vacant site through the construction of a project that is proposing to provide the majority of the required parking within underground garages. Three, 9600 square-foot recreation buildings are proposed that are located throughout the project site that will offer numerous recreational and common open space amenities for the future residents. Pools, tot lots, various types of sport courts, and other related uses will be provided. The provision of these amenities will lessen the impact of the future residents on existing and planned parks within Otay Mesa. Additionally, the project's design allows for a unit count that is near the maximum amount of units that could be built on the site at a time when the City Council has determined that the City of San Diego is in a Housing State of Emergency. Therefore, when considered as a whole, the proposed development will be beneficial the community.

5. Any proposed deviations pursuant to Section 126.0602(b)(1) are appropriate for this location and will result in a more desirable project than would be achieved if designed in strict conformance with the development regulations of the applicable zone.

The applicant is requesting a deviation from the required RM-3-7 height limit of 40 feet to a maximum of 58 feet. The highest roofline of any of the buildings would be 52 feet-the additional 6 feet is for the elevator towers. The rooflines range in height from 40 to 52 feet, and with the elevator towers, the overall heights are 46 to 58 feet high. The tallest structures are located towards the southern end of the project and are generally located away from the existing single-family residences to the north.

The increase in height is necessary to accommodate the density envisioned by the California Terraces Precise Plan. The height deviation will allow more units to be built on the site than if the 40-foot height limit were strictly applied. Further, to meet the height and density regulations of the RM-3-7 zone the units would have to be smaller. In association with the Otay Mesa Community Plan Update, a survey was conducted by SourcePoint in both single family units and multi-family units in the Otay Mesa and Otay

Ranch area to determine household sizes. The survey results established that the multi-family units in the Otay region had an average of 3.45 persons per household. Given the population per household in Otay Mesa is currently 3.45, the provision of smaller units in order to try and reduce the overall building height would not address the housing needs of the area and would be a less desirable project. The project proposes a mix of one, two, three, and four bedroom units based on the demonstrated demand for larger units in this portion of San Diego. By providing a variety of unit types, the applicant would help to make Otay Mesa a more balanced community which is consistent with the Housing Element, and provide affordable (in nature) dwelling units at a time when the City Council has determined that the City of San Diego is in a Housing State of Emergency.

Building Number	Maximum Overall Building Height (without Elevator Tower)	Maximum Building Height with Elevator Tower (adds 6 feet to overall height)
1	52 feet	58 feet
2	52 feet	58 feet
3	52 feet	58 feet
4	52 feet	58 feet
5	52 feet	58 feet
6	52 feet	58 feet
7	52 feet	58 feet
8	51 feet	57 feet
9	51 feet	57 feet
10	52 feet	58 feet
11	41 feet	47 feet
12	42 feet	48 feet
13	42 feet	48 feet
14	42 feet	48 feet
15	42 feet	48 feet
16	40 feet	46 feet

The applicant is requesting the following setback deviations.

LOT 1:

The RM-3-7 zone requires a street side yard setback of 75 feet (or 10% of the lot width) along Otay Mesa Road, 30-feet is proposed.

The RM-3-7 requires a side yard setback of 75 feet (or 10% of the lot width) along the northern side of the lot, 15-feet is proposed.

LOT 2:

The RM-3-7 requires a street side yard setback of 67 feet (10% of the lot width) along A Street, 20-feet is proposed.

The RM-3-7 requires a side yard setback of 67 feet (10% of the lot width) along the western side of the lot, 12-feet is proposed.

LOT 3:

The RM-3-7 requires a street side yard setback of 75 feet (10% of the lot width) along Del Sol Boulevard, 40-feet is proposed.

The RM-3-7 requires a side yard setback of 75 feet (10% of the lot width) along the southeastern side of the lot, 15-feet is proposed.

These setback deviations are necessary to achieve the density identified in the California Terraces Precise Plan. Thy will allow for more units to be built on the site than if the standard 10% of the lot width side and street side yard regulations were strictly applied. The deviations are supported because they will allow more residential units to be constructed at a time when the City Council has determined that the City of San Diego is in a Housing State of Emergency. In addition, there are no other projects in the area that provide 67-foot or similar side yard setbacks. The project as proposed will be consistent with the development pattern of Ocean View Hills.

The above findings are supported by the minutes, maps and exhibits, all of which are herein incorporated by reference.

BE IT FURTHER RESOLVED, that the recommendation of the Planning Commission is sustained, and Planned Development Permit (PDP) No. 8075 is granted to PARDEE HOMES, Owner/Permittee, under the terms and conditions set forth in the permit attached hereto and made a part hereof.

APPR	OVED:	MICHAE	L AGUI	RRE, C	ity Attori	ıey
Ву						
·	NAME		•	<u>-</u> -		

ATTY/SEC. INITIALS
DATE
Or.Dept:Clerk
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Reviewed by Patricia Grabski

Deputy City Attorney

PLANNING COMMISSION RESOLUTON NO. PLANNED DEVELOPMENT PERMIT NO. 8075 PLAYA DEL SOL PTS 4925

WHEREAS, PARDEE HOMES, Owner/Permittee, filed an application with the City of San Diego for Planned Development Permit (PDP) No. 8075 to construct a 1,578-unit condominium project consisting of six, three-story buildings and ten four-story buildings with each building having two levels of underground parking, and three 9,600-square-foot recreational buildings (as described in and referenced to the approved exhibit "A", and corresponding conditions of approval for Planned Development Permit No. 8075) on portions of a 45.97 acre site;

WHEREAS, the project site is located south of Ocean View Hills Parkway, north of State Route 905, and west of A Street in the RM-3-7 and RS-1-14 zones within the California Terraces Precise Plan (Planning Area 6) and the Otay Mesa Community Plan area;

WHEREAS, the site is legally described as the Northwest Quarter and a portion of the South Half of Section 30, Township 18 South, Range 1 West, and a portion of the Southeast Quarter of the Northeast Quarter of Section 25, Township 18 South, Range 2 West, San Bernardino Meridian, in the City of San Diego, County of San Diego, State of California;

WHEREAS, on November 13, 2008, the Planning Commission of the City of San Diego considered Planned Development Permit No. 8075, and voted XXX to recommend City Council approval of Planned Development Permit No. 8075.

PATRICIA GRABSKI, AICP Development Project Manager Development Services

cc: Legislative Recorder

Otay Mesa Planning Group

C/o 427 C Street, Suite 308 San Diego, CA 92101

August 21, 2006

Ms. Patricia Grabski 1222 First Avenue MS 302 San Diego, CA 92101

RE: Otay Mesa Planning Group position on Ocean View Hills Planning Area 6

Dear Ms. Grabski:

On Wednesday, August 16, 2006, a presentation was made to the Otay Mesa Planning Group regarding Ocean View Hills Planning Area 6. Ron Brockhoff (Pardee Homes) presented plans for 1,572 condo units at Ocean View Hills Parkway and Del Sol Boulevard. The planning group voted 14-2-0 to support the project with the following conditions:

- Consider noise attenuation for the residents
- Analyze traffic calming measures on Ocean View Hills Parkway
- Examine the inclusion of bus transit in the community

Should you have any questions, please call Susanne Bankhead at (619) 239-9877x10.

Thank you for your consideration.

Sincerely,

Rob Hixson

Chair

cc: Mr. Jimmy Ayala, Pardee Homes (via email)

Mr. Ron Brockhoff, Pardee Homes (via email)

UNANINMOUS ACTION OF THE BOARD OF DIRECTORS OF

PARDEE HOMES, a California corporation, TAKEN WITHOUT A MEETING

The undersigned three (3) Directors, constituting all of the members of the Board of Directors of Pardee Homes, a California corporation, (the "Corporation"), acting as of March 17, 2008, without a meeting in accordance with California Corporations Code Section 307(b) and Article III, Section 12 of the Corporation's By-Laws, hereby resolve as follows:

RESOLVED, that all offices of the Corporation are declared vacant and each of the following persons is elected to the office shown opposite such person's name, to serve in such office until removed by the Board or the President, by resignation, or until such time as a successor is elected:

Michael V. McGee

Harold Struck, Jr. Jon E. Lash

Anthony P. Dolim John Anglin

John Arvin

Robert E. Clauser, Jr.

David Dunham Amy L. Glad

Christopher J. Hallman

Randy Myers

John Osgood

Gary Probert

James C. Wisda John Allen

James C. Bizzelle, III Gino Cesario

Mike Conkey Robert Dawson

Patrick Emanuel Don Feathers Beth Fischer

Joyce Mason

Carlene Matchniff Ralph Pistone Greg Ray

Donna Sanders

Gregory P. Sorich

President and Chief Executive Officer

Executive Vice President Executive Vice President

S. V. P./Finance; Secretary-Treasurer Senior Vice President, Purchasing

Senior Vice President, Land Development

Senior Vice President, Marketing Senior Vice President, Multi-Family

Senior Vice President, Governmental Affairs Senior Vice President and General Counsel

Senior Vice President, Construction

Senior Vice President, Community Development

Senior Vice President, Sales

S. V. P., Business Planning & Development Vice President, Construction Operations Vice President, Community Development Vice President, Corporate & Strategic Services

Vice President, Controller Vice President, Closing Services

Vice President, Construction Operations Vice President, Construction Operations Vice President, Community Development

Vice President, Marketing

Vice President, Community Development Vice President, Construction Operations Vice President, Landscape Architecture

Vice President, Options

Vice President, Land Disposition

James A. Stringer Vice President, Community Development Vice President, Community Development

Dave Viggiano Vice President, Architecture

Jeffrey W. NittaAssistant TreasurerTom R. StocksAssistant TreasurerBarbara BailAssistant Secretary

Rosemary Bonnevie Assistant Secretary, Finance

Patricia Cohen Assistant Secretary
Charles E. Curtis Assistant Secretary

Steve Davison Assistant Secretary, Accounting
Belle DeBraal Assistant Secretary, Accounting
Mesrope DeBraal Assistant Secretary, Accounting

Claire S. Grace Assistant Secretary
Susan Howland Assistant Secretary
Vicki A. Merrick Assistant Secretary
Thomas M. Smith Assistant Secretary
Nancy Trojan Assistant Secretary
Allison J. Renz Assistant Secretary

The undersigned hereby consent to the foregoing Resolution and direct that the Secretary of this Corporation file this Unanimous Action of the Board of Directors, including this consent, with the Minutes of the proceedings of this Board of Directors and that said Resolution shall have the same force and effect as if adopted at a meeting of the Board of Directors at which all of the undersigned were personally present.

Michael V. McGee, Director

Harold Struck, Jr., Director

Daniel S. Fulton, Director

UNANINMOUS ACTION OF THE BOARD OF DIRECTORS OF PARDEE HOMES, a California corporation, TAKEN WITHOUT A MEETING

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RESOLVED, that all offices of the Corporation are declared vacant and each of the following persons is elected to the office shown opposite such person's name, to serve in such office until removed by the Board or the President, by resignation, or until such time as a successor is elected:

Michael V. McGee President and Chief Executive Officer

Harold Struck, Jr. Executive Vice President Jon E. Lash Executive Vice President

Anthony P. Dolim S. V. P./Finance; Secretary-Treasurer John Anglin Senior Vice President, Purchasing

John Arvin Senior Vice President, Land Development

Robert E. Clauser, Jr. Senior Vice President, Marketing
David Dunham Senior Vice President, Multi-Family

Amy L. Glad Senior Vice President, Governmental Affairs Christopher J. Hallman Senior Vice President and General Counsel

Randy Myers Senior Vice President, Construction

John Osgood Senior Vice President, Community Development

Gary Probert Senior Vice President, Sales

James C. Wisda S. V. P., Business Planning & Development
John Allen Vice President, Construction Operations
James C. Bizzelle, III Vice President, Community Development
Vice President, Corporate & Strategic Services

Mike Conkey Vice President, Controller
Robert Dawson Vice President, Closing Services

Patrick Emanuel Vice President, Construction Operations
Don Feathers Vice President, Construction Operations
Beth Fischer Vice President, Community Development

Joyce Mason Vice President, Marketing

Carlene Matchniff
Ralph Pistone
Vice President, Community Development
Vice President, Construction Operations
Vice President, Landscape Architecture

Donna Sanders Vice President, Options

Gregory P. Sorich Vice President, Land Disposition

James A. Stringer Vice President, Community Development Michael C. Taylor Vice President, Community Development

Dave Viggiano Vice President, Architecture

Jeffrey W. Nitta Assistant Treasurer Tom R. Stocks Assistant Treasurer Barbara Bail Assistant Secretary

Rosemary Bonnevie Assistant Secretary, Finance

Patricia Cohen Assistant Secretary
Charles E. Curtis Assistant Secretary

Steve Davison Assistant Secretary, Accounting
Belle DeBraal Assistant Secretary, Accounting
Mesrope DeBraal Assistant Secretary, Accounting

Claire S. Grace Assistant Secretary
Susan Howland Assistant Secretary
Vicki A. Merrick Assistant Secretary
Thomas M. Smith Assistant Secretary
Nancy Trojan Assistant Secretary
Allison J. Renz Assistant Secretary

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Michael V McGee Director

11.11.6

Harold Struck, Jr., Director

Daniel S. Fulton, Director

RESIGNATION OF DIRECTOR AND OFFICER OF PARDEE HOMES, a California corporation

1. Harold Struck, Jr., hereby resign as a Director and Executive Vice President of Pardee Homes, a California corporation, effective May 2, 2008.

Harold Struck Jr

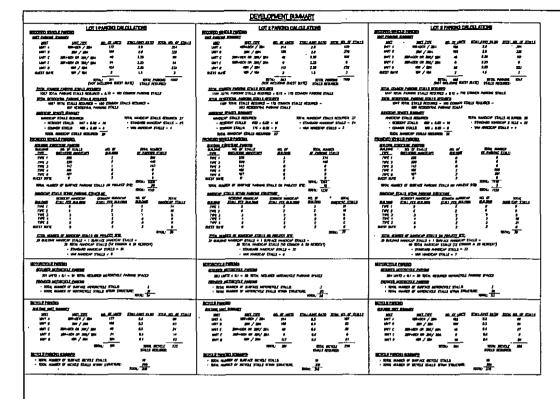


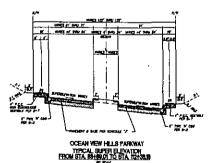
City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101 (619) 446-5000

Ownership Disclosure Statement

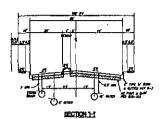
\proval Type: Check appropriate box for type of approval (s) reques	sted: Neighborhood Use Permit Coastal Development Permit
Neighborhood Development Permit Site Development Permit Variance Tentative Map X Vesting Tentative Map Map W	t X Planned Development Permit Conditional Use Permit Vacation
Project Title	Project No. For City Use Only
Playa del Soi	
Project Address:	
South of Ocean View Hills Parkway, north of Otay Mesa Ro	pad
art I - To be completed when property is held by Individua	l(s)
cove, will be filed with the City of San Diego on the subject property, flow the owner(s) and tenant(s) (if applicable) of the above reference to have an interest in the property, recorded or otherwise, and state the dividuals who own the property). A signature is required of at least come the Assistant Executive Director of the San Diego Redevelopment approved / executed by the anager of any changes in ownership during the time the application.	edge that an application for a permit, map or other matter, as identified with the intent to record an encumbrance against the property. Please list and property. The list must include the names and addresses of all persons the type of property interest (e.g., tenants who will benefit from the permit, at one of the property owners. Attach additional pages if needed. A signature of Agency shall be required for all project parcels for which a Disposition and e City Council. Note: The applicant is responsible for notifying the Project is being processed or considered. Changes in ownership are to be given to the subject property. Failure to provide accurate and current ownership
Name of Individual (type or print):	Name of Individual (type or print):
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Owner Tenant/Lessee Redevelopment Agency	Owner Tenant/Lessee Redevelopment Agency
Street Address:	Street Address:
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Signature: Date:	Signature : Date:
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Name of Individual (type or print):	Name of Individual (type or print):
Owner Tenant/Lessee Redevelopment Agency	Owner Tenant/Lessee Redevelopment Agency
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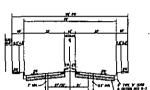
Project Title: Playa del Sol 000195	Project No. (For City Use Only)
Part II - To be completed when property is held by a corpo	pration or partnership
Legal Status (please check):	
Corporation Limited Liability -or- General) What	State? Corporate Identification No. 95-2509383
as identified above, will be filed with the City of San Diego on the property. Please list below the names, titles and addresse otherwise, and state the type of property interest (e.g., tanants in a partnership who own the property). A signature is require property. Attach additional pages if needed. Note: The application is being processed ownership during the time the application is being processed.	acknowledge that an application for a permit, map or other matter, the subject property with the intent to record an encumbrance against as of all persons who have an interest in the property, recorded or swho will benefit from the permit, all corporate officers, and all partners and of at least one of the corporate officers or partners who own the ant is responsible for notifying the Project Manager of any changes in or considered. Changes in ownership are to be given to the Project subject property. Fallure to provide accurate and current ownership additional pages attached
Corporate/Partnership Name (type or print): Pardee Homes	Corporate/Partnership Name (type or print):
▼ Owner	Owner Tenant/Lessee
Street Address: 10880 Wilshire Boulevard, Suite 1900	Street Address;
City/State/Zip: Los Angeles, CA 90024	City/State/Zip:
Phone No: Fax No: (310) 475-3525 (310) 446-1295	Phone No: Fax No:
Name of Corporate Officer/Partner (type or print): Beth Fischer	Name of Corporate Officer/Partner (type or print):
Title (type or print): Vice President	Title (type or print):
Signature Dethi Maluic 10-30-08	Signature : Date:
Corporate/Partnership Name (type or print):	Corporate/Partnership Name (type or print):
Owner Tenant/Lessee	Owner Tenant/Lessee
Street Address:	Street Address:
City/State/Zip:	City/State/Zip:
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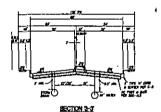


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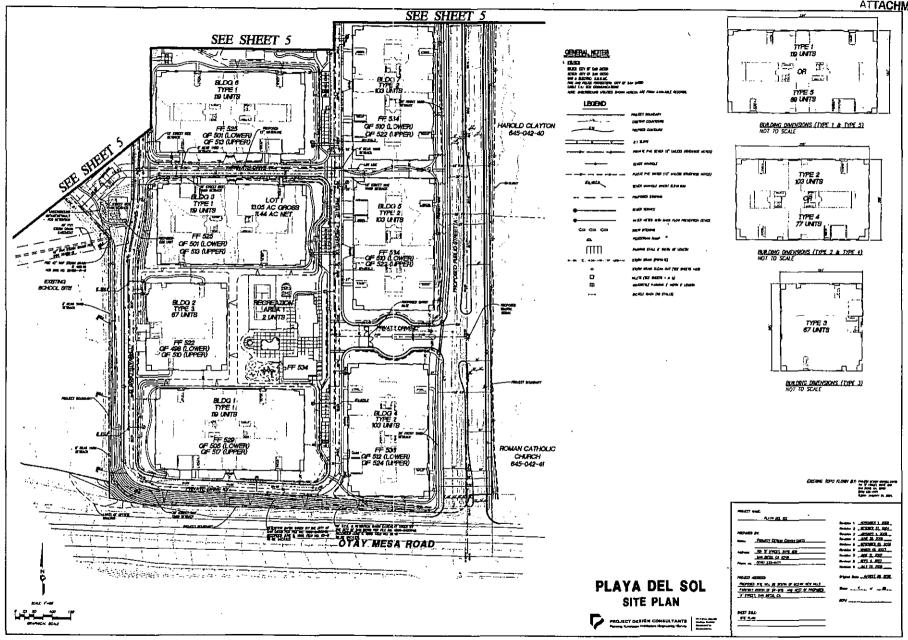
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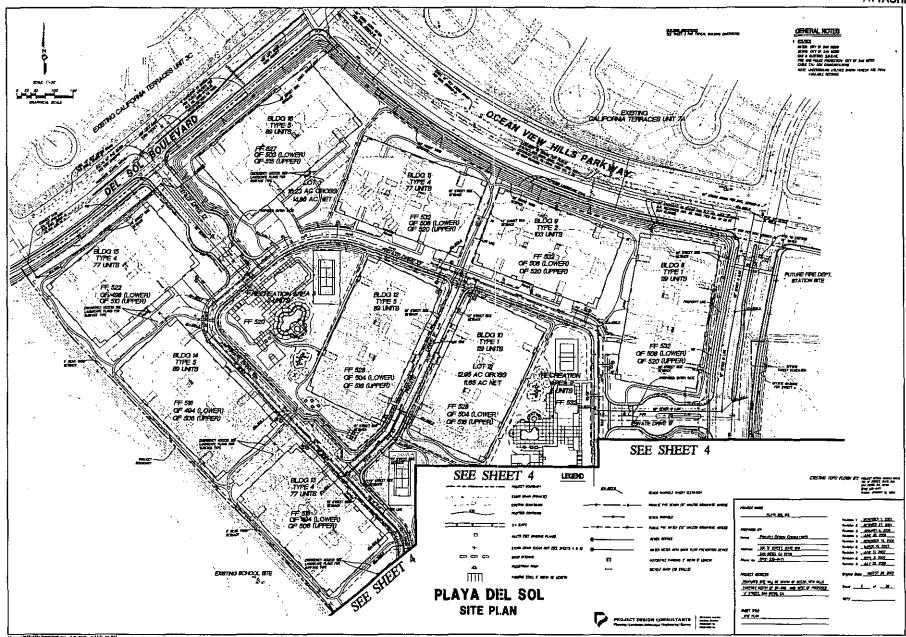


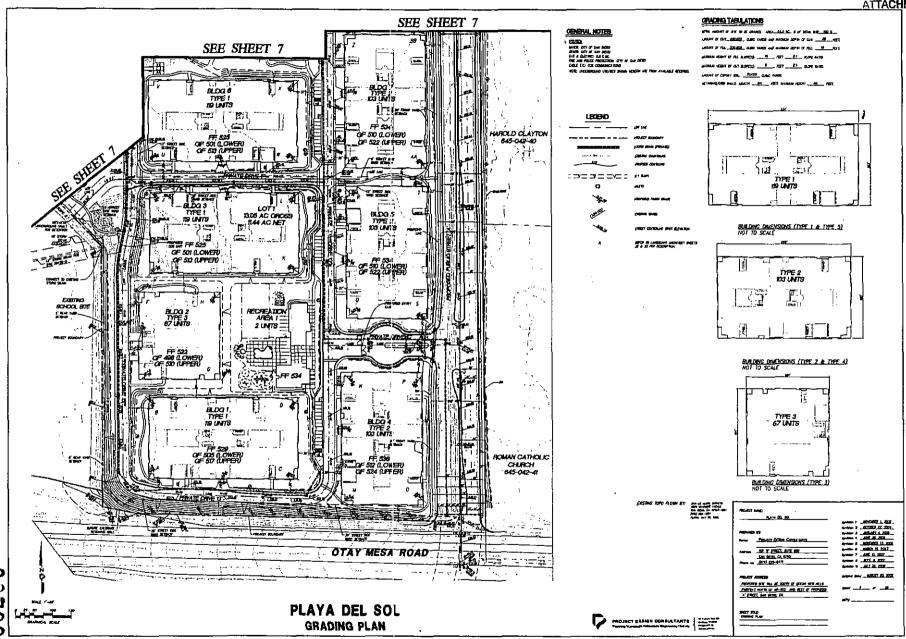
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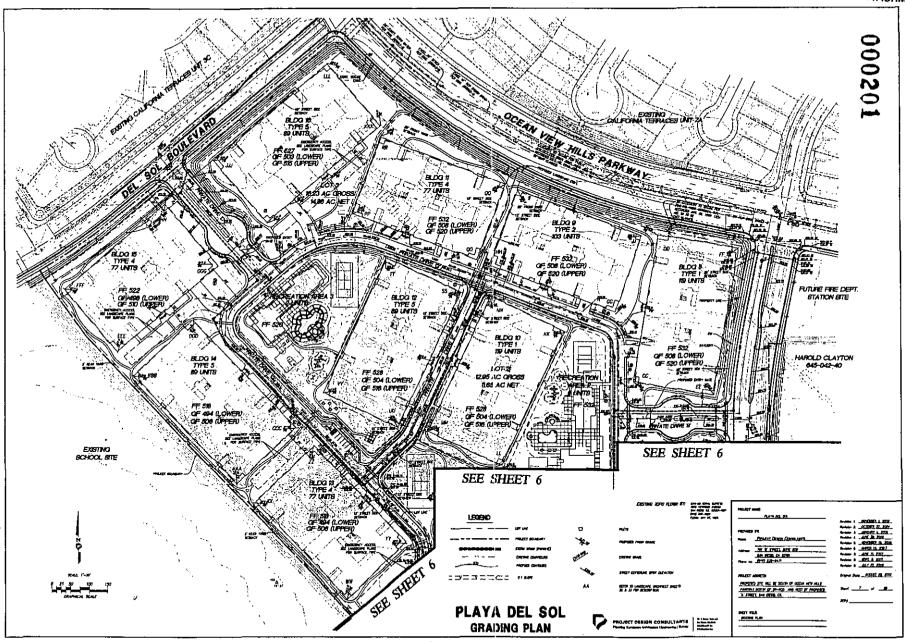
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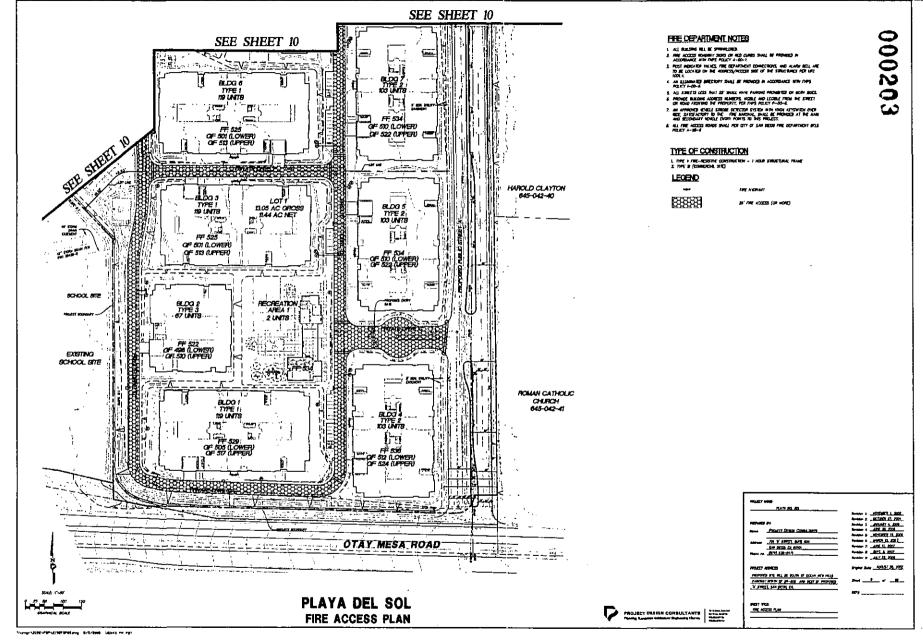


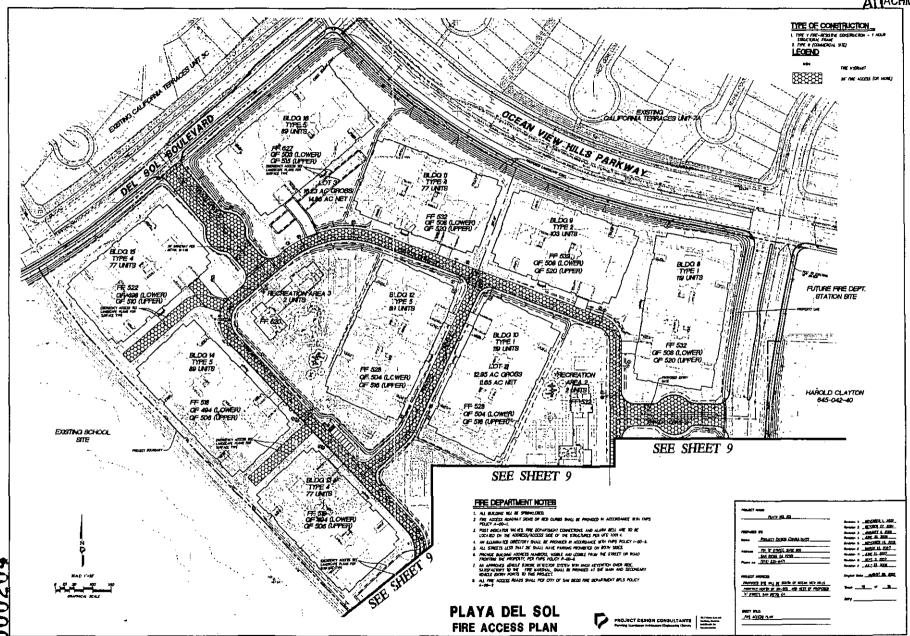


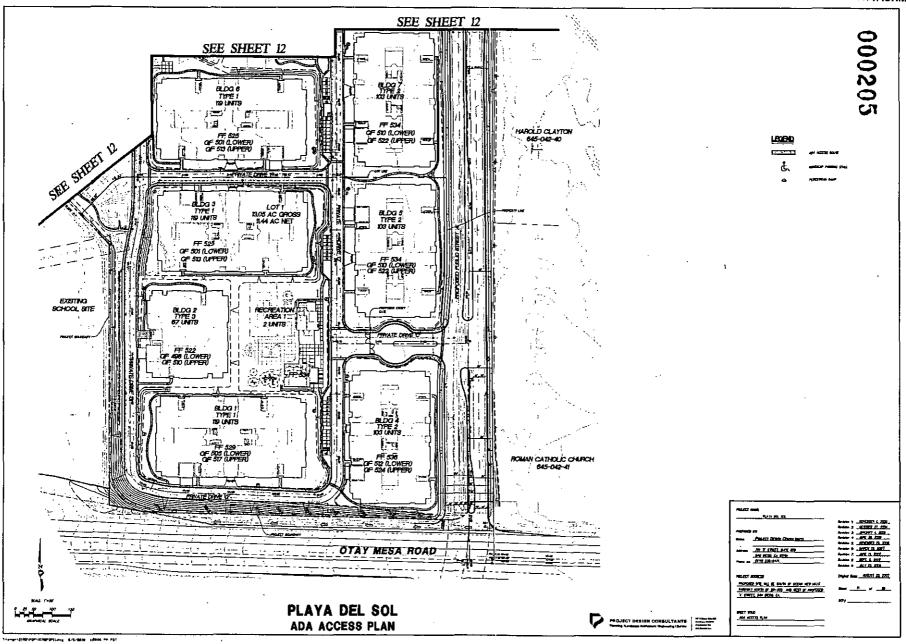




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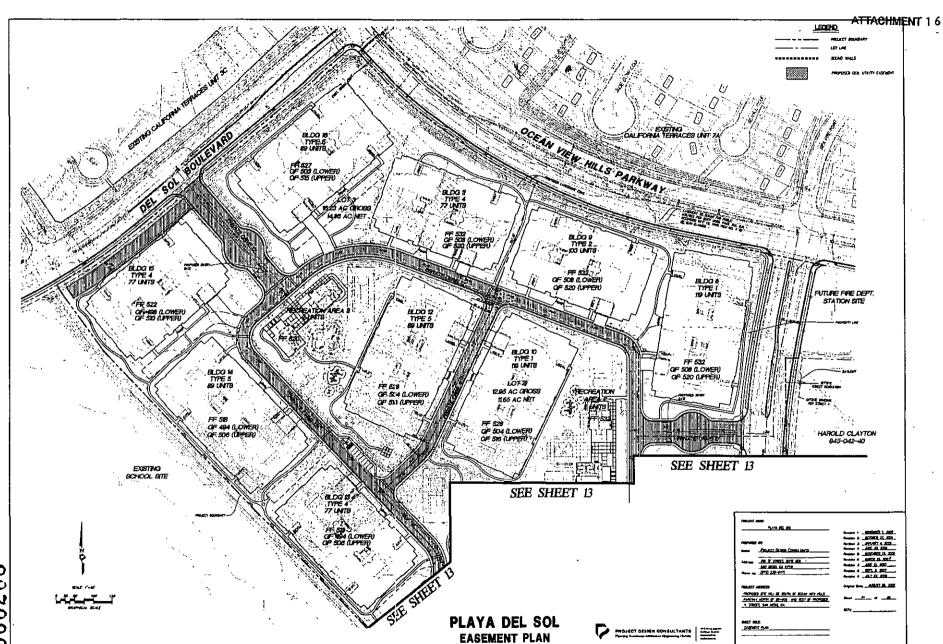




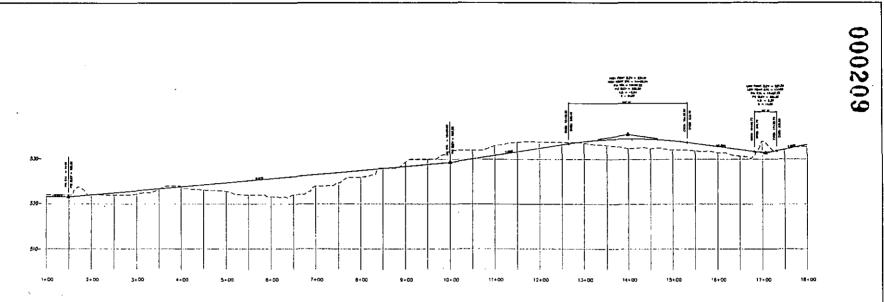
PROJECT DEBIGN CONSULTANTS

PLAYA DEL SOL

EASEMENT PLAN







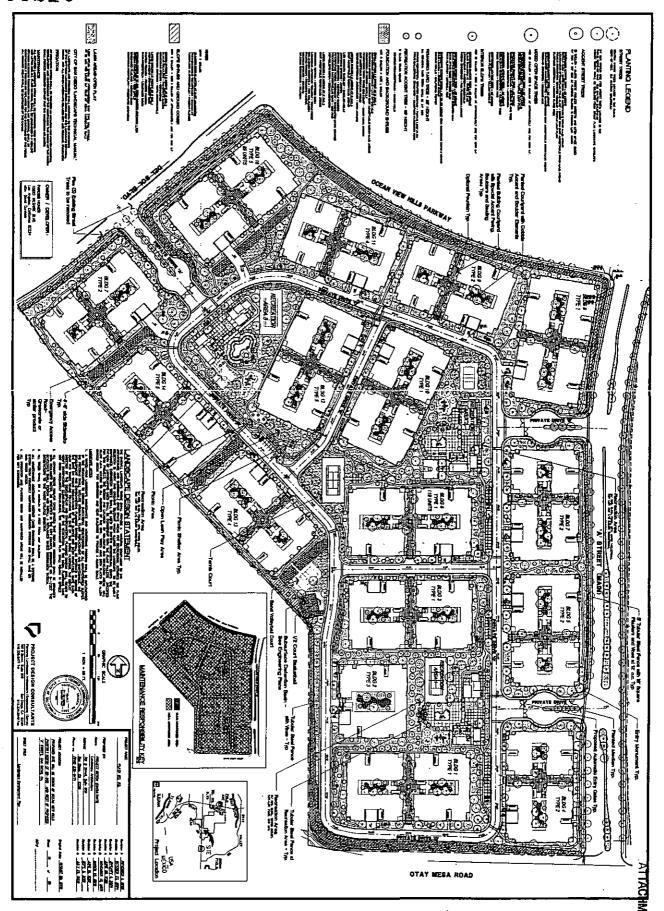
PLAYA DEL SOL 'A' STREET PROFILE

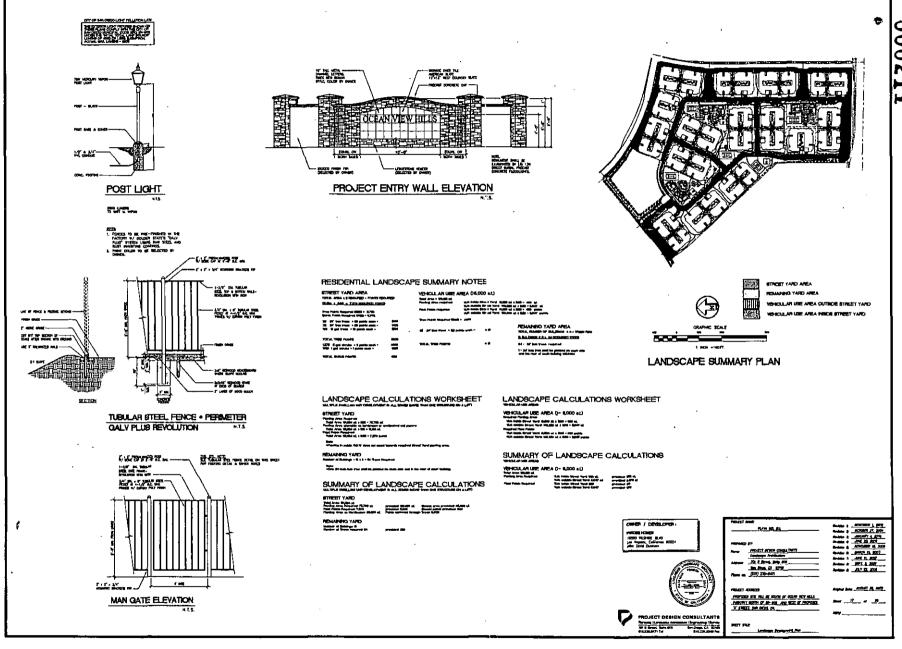
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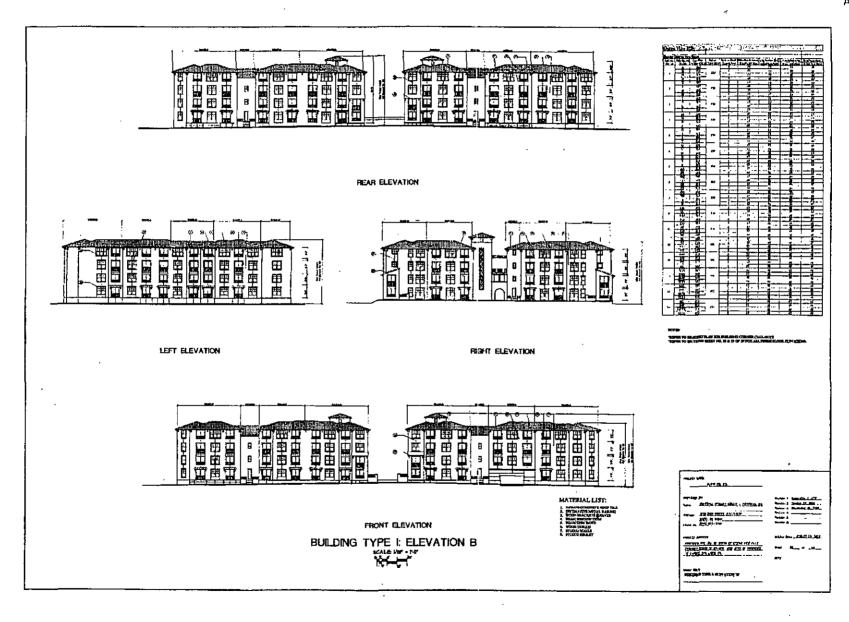
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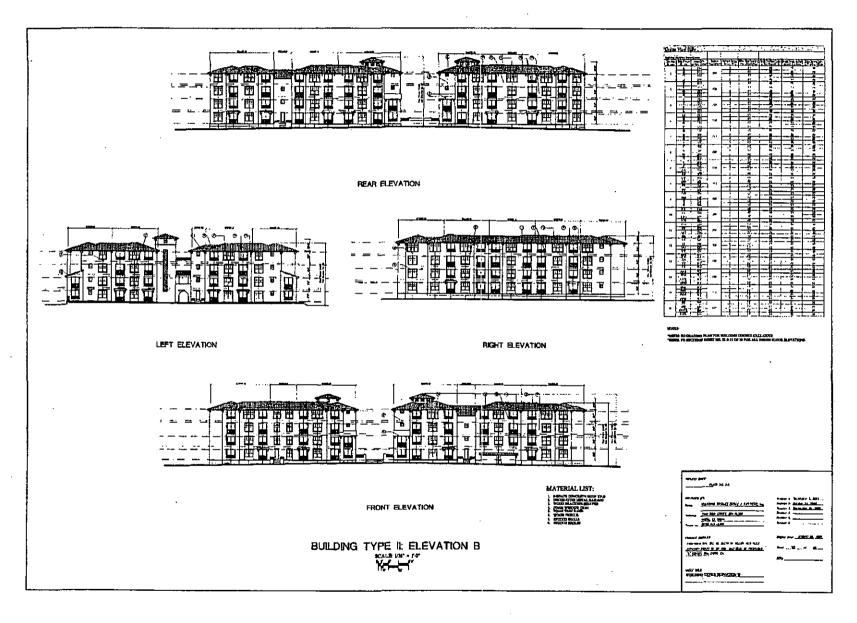
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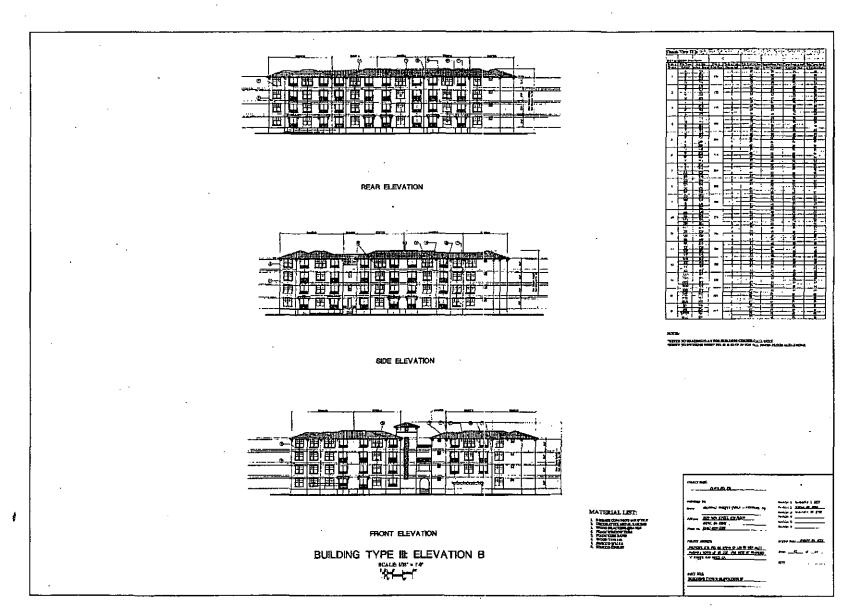
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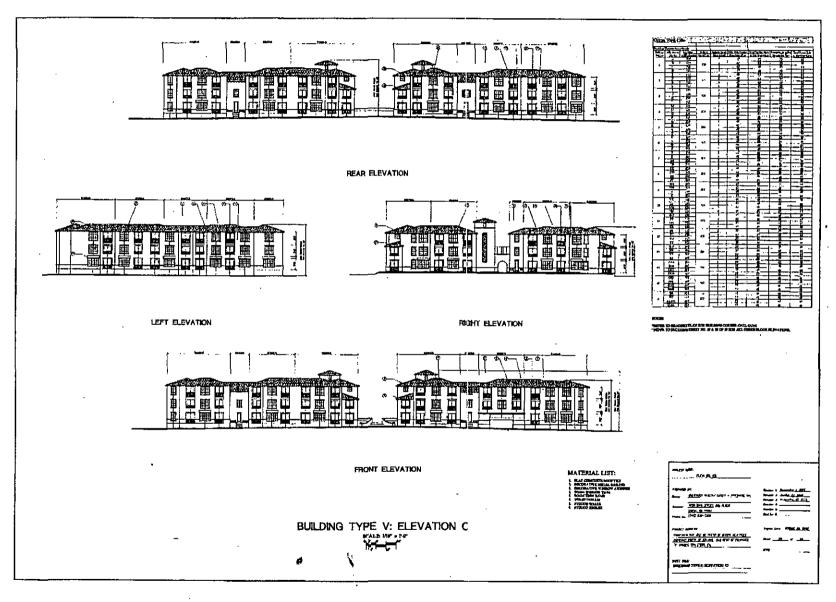


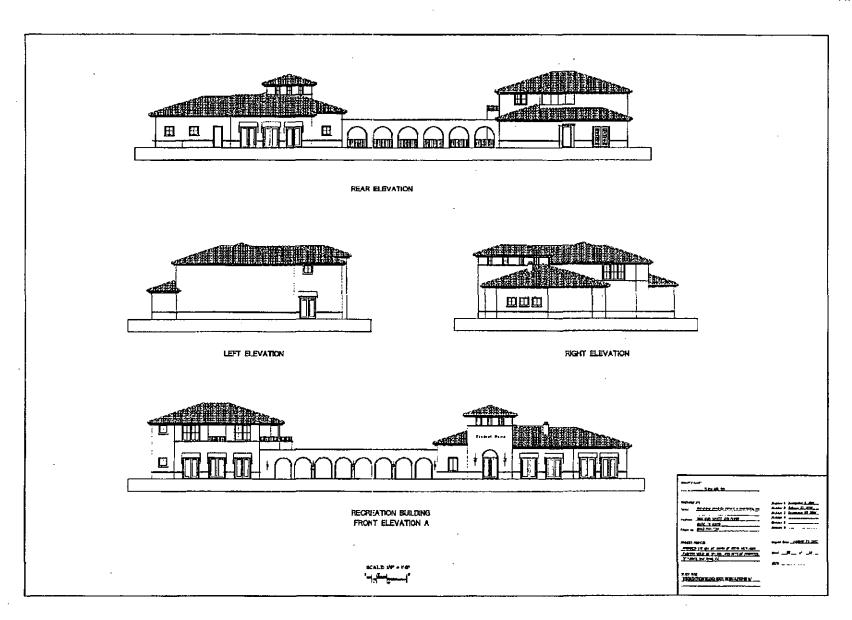


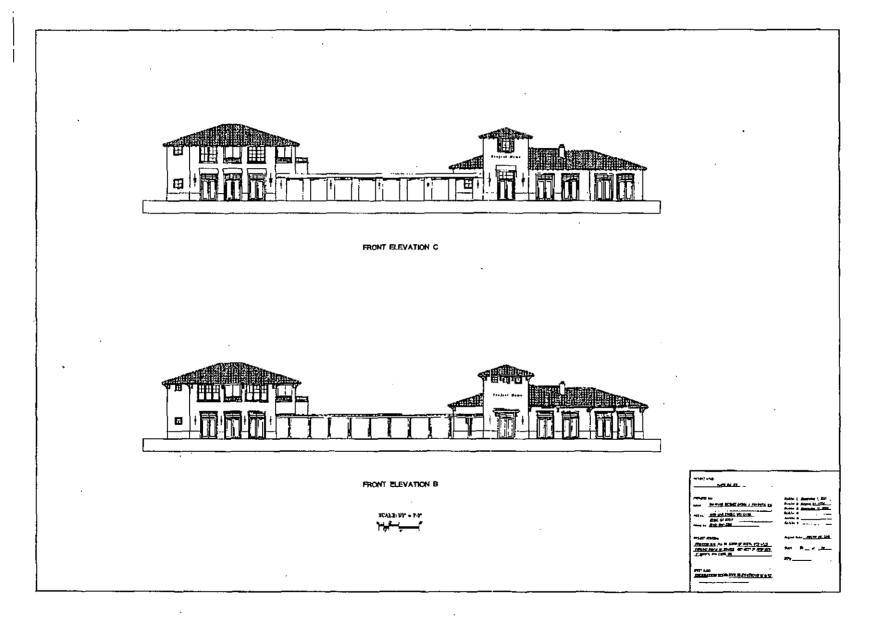












000223 PROJECT DATA SHEET							
PROJECT NAME:	Playa del Sol						
PROJECT DESCRIPTION:	Construction of 1,578 residential condominiums in ten 4-story and six 3-story buildings, each having two levels of underground parking, on a 45.97-acre site located south of Del Sol Boulevard and Ocean View Hills Parkway, north of State Route 905, east of Ocean View Hills Elementary school and west of A Street.						
COMMUNITY PLAN AREA:	Otay Mesa Community; California Terraces Precise Plan (Planning Areas 6)						
DISCRETIONARY ACTIONS:	Planned Development Permit with Deviations from the RM-3-7 Zone						
COMMUNITY PLAN LAND USE DESIGNATION:	Otay Mesa Community Plan – Medium Density Residential; California Terraces Precise Plan – High Medium Residential (allows 30 to 43 dwelling units per acre)						
ZONE:	ZONING INFORMATION: RM-3-7 Zone (a Residential zone allowing 1 dwelling unit per 1,000 square feet of lot area)						
HEIGHT LIMIT:	40 feet						
LOT SIZE:	7,000 square feet minimum						
FLOOR AREA RATIO(FAR):	1.8 including bonus for underground parking						
FRONT SETBACK:	10 feet minimum, 20 feet standard						
SIDE SETBACK:	Greater of 5 feet or 10% of lot width						
STREETSIDE SETBACK:	Greater of 10 feet or 10% of lot width						
REAR SETBACK:	5 feet						
PARKING:	3,271	<u> </u>					
ADJACENT PROPERTIES:	LAND USE DESIGNATION & ZONE	EXISTING LAND USE					
NORTH:	Low Density Residential; RS-1-14	Single Unit Residential					
SOUTH:	Low Density Residential; RS-1-14	Single Unit Residential/High School					
EAST:	Commercial Center; AR-1-1 & CC-1-3	Vacant					
WEST:	School/Park; RM-3-7 & RS-1-14	Elementary & Middle School and Vacant					
DEVIATIONS OR	1. Allow a height of up to 58	feet where a maximum height of 40 feet is					

VARIANCES REQUESTED: 000224	 allowed. Allow a street side setback of 30 feet on Lot 1 where a street side setback of 76 feet is required. Allow an interior side setback of 15 feet on Lot 1 where an interior side setback of 76 feet is required. Allow a street side setback of 20 feet on Lot 2 where a street side setback of 76 feet is required. Allow an interior side setback of 12 feet on Lot 2 where an interior side setback of 76 feet is required. Allow a street side setback of 20 feet on Lot 3 where a street side setback of 75 feet is required. Allow an interior side setback of 15 feet on Lot 3 where an interior side setback of 75 feet is required. 		
COMMUNITY PLANNING GROUP RECOMMENDATION:	On August 16, 2006 the Otay Mesa Planning Group voted 14-2-0 to support the project with the following conditions: 1. Consider noise attenuation for the residents; 2. Analyze traffic calming measures on Ocean View Hills Parkway; 3. Examine the inclusion of bus transit in the community.		

NOTICE OF DETERMINATION

TO:	000225Recorder/County Clerk P.O. Box 1750, MS A33 1600 Pacific Hwy, Room 260 San Diego, CA 92101-2422	FROM:	City of Sar Developme 1222 First San Diego	n Diego ent Services Depa Avenue, MS 501 , CA 92101	artment ECEI CLERK'S 08 MOY 12	VÈD SOFFIE MF10: 17
	Office of Planning and Research 1400 Tenth Street, Room 121 Sacramento, CA 95814				SAN DIEGO, (
Projec	et Number: 4925	State C	Clearinghous	e Number: N/A	·	ζ))
Permi	t Number: :N/A		•		ب .	
Projec	et Title <u>Playa Del Sol</u>				• •	
Califo the Ci wester of a m Project 1,578	et Location: The project site is located in the sornia Terraces Precise Plan area is situated in the try of San Diego. The precise plan area is located boundary approximately one-quarter mile extile west of Heritage Road et Description: The project consists of the consmulti-dwelling units on a previously graded 4.	he northweed between ast of I-80 struction of 5.97 acres	estern portion in Interstate is and the earth of 16 multi-site. In addition	on of the Otay Mes 805 (I-805) and H stern boundary ap story condominium ion, the project we	sa Community P leritage Road, wi pproximately thre m structures cons	lan area in ith the ee-quarters sisting of
	tional buildings totaling 9,608 square-feet and				2.050.504.2524	
•	et Applicant: Pardee Homes, 12626 High Bluf			-		
	s to advise that the City of San Diego <u>City Cou</u> t and made the following determinations:	incil on _		approv	ed the above des	cribed
1. T	he project in its approved form will, X w	vill not, ha	ve a signific	cant effect on the	environment.	
2. <u>X</u>	An addendum to EIR 86-1032 was prepar	ed for this	s project pur	suant to the provis	sions of CEQA.	
	Record of project approval may be exami-	ned at the	address abo	ve.		
3. N	fitigation measures X were, were not, ma	ade a cond	lition of the	approval of the pr	oject.	
public	ereby certified that the final environmental repeat the office of the Entitlements Division, Fiftiego, CA 92101.					
Analy	st: <u>Jeffrey Szymanski</u>	٦	Telephone:	(619)		
		F	Filed by:	Ciamatura		
				Signature		
				Title		

Reference: California Public Resources Code, Sections 21108 and 21152.